Chronicles

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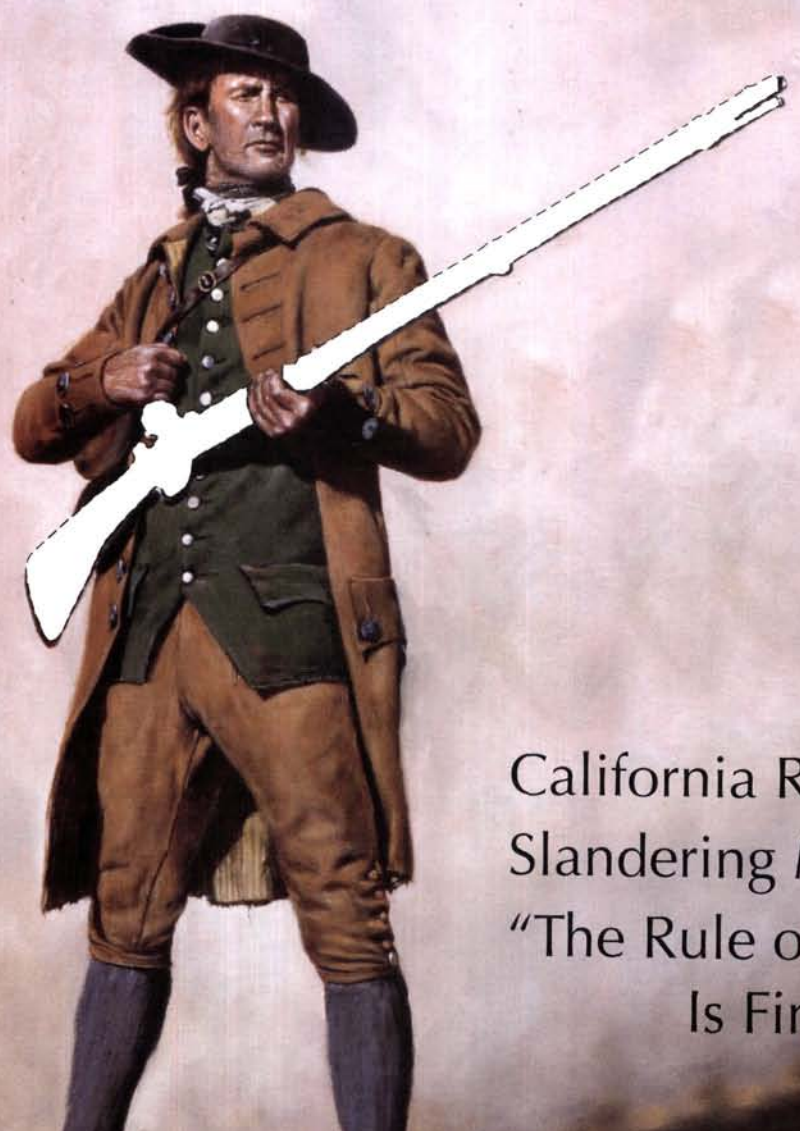
Why Johnny Can't Fight

No Guns, No Freedom



California Recall

Slandering Mel

"The Rule of Law Is Finished"

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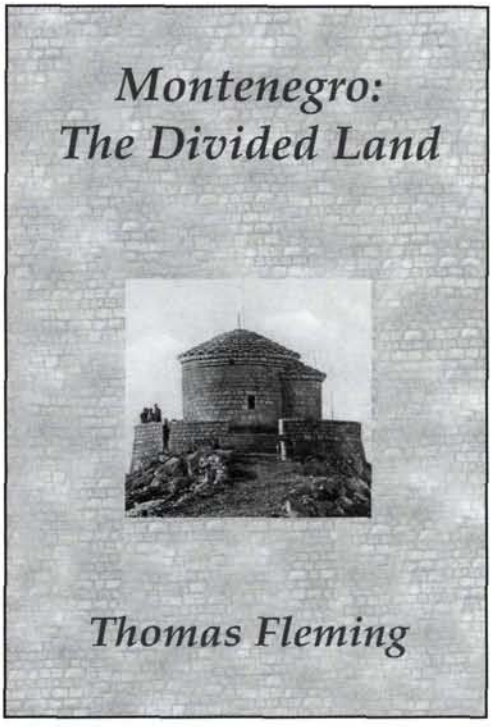
This Time, Be Prepared

The Serb land of Montenegro is once again at the crossroads of history. The blood-soaked mountains and dramatic coastline of this small land have been fought over by Illyrians, Macedonians, Romans, Byzantines, Turks, and Venetians, and, in the 20th century, by the armies of Austria-Hungary, Italy, and Germany. In World War II, Montenegro lost more men, per capita, than any nation of Europe, and now it is the latest target of the so-called international community, which has tried to create a phony separatist movement (complete with a bogus national church) to continue the disastrous policies that have involved the United States in wars over Bosnia and Kosovo.

Thomas Fleming has written the first well-researched history of Montenegro in the English language, taking the story from ancient times all the way up to the current crisis over separation from Serbia. This is no dry academic tome but a lively account of a brave people whose brave history rivals the tales of Leonidas and his Spartans at Thermopylae.



"Dr. Fleming has given us an unbiased history of our people that is compact yet thorough, with all the characteristics of a serious, well-documented, scientific study."

—Slavenko Terzic
Serbian Academy of Arts and Sciences

"Dr. Fleming's book is a fascinating account of the heroic struggle of the Montenegrin people to defend their freedom and liberty against all odds. It tells their magnificent story in a stirring narrative that combines scholarly research with astute observation of how this tiny nation today may yet face its greatest challenge."

—James Bisset
Former ambassador to Yugoslavia
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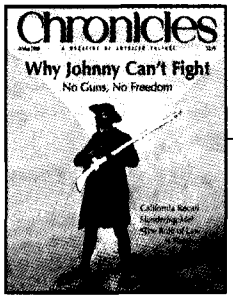

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On Dissent

Thank you for Don Livingston's essay, "The Ancestry and Legacy of the Philosophes" (*Views*, July). Rarely have I read anything that shed so much light on such a large subject in such a short space. I have some disagreements with the essay, but they amount, I hope, to a friendly amendment.

As Livingston sees it, Western philosophy contained the seeds of revolution from the beginning because of the totalizing nature of the philosophical act. The hubris of philosophical reason was kept in check during the Middle Ages by Augustinian faith, but it broke out again in the Renaissance in a far deadlier form.

Fair enough. But we must remember that Western Europe is not the only civilization that owes its origins to Athens and Jerusalem. Byzantine civilization had fuller and more sustained access to the classical sources of philosophy throughout the Middle Ages than did the West. Furthermore, although it was a Christian civilization, it did not adopt the Augustinian conception of faith as an act of the will. This was partly because the Byzantines read Saint Paul in a very different way than did Saint Augustine. Even more fundamentally, their vocabulary was different. Where Latin has a single term for will (*voluntas*), Greek has a whole menagerie (*boulesis, thelesis, to hekon, autexousia*), each with its own distinctive nuances. This meant that the Byzantines never developed the concept of will as a unitary faculty of the soul that operates independently of reason. The implications of this difference are profound; I believe, for example, that it explains why a book like Saint Augustine's *Confessions* was never written in the East. It also explains the absence of anything like the Augustinian motto *Credo ut intelligam*. The Byzantines would have been puzzled by the separation this motto implies between belief and understanding: Christian belief was itself the true philosophy and the highest form of understanding; one does not adopt it in order to "seek" anything else.

What was it that kept their own philosophical hubris in check? The answer is internal to the philosophical tradition itself: the notion of transformed vision. Saint Paul says, "be not conformed to this world, but be ye transformed by the renewing of your mind." When Peter, James, and John ascended Mount Thabor, their eyes opened, and they were able to see Christ as He truly is. When He walked with two of His disciples on the road to Emmaus, their hearts burned within them until He was known to them in the breaking of the bread. All of this reminds us that, at present, we see "through a glass darkly"; there is also a higher state of the intellect, however, in which the presence of God all around us does not have to be believed by inference or on the testimony of others but can simply be seen. The heavens declare the glory of God; the trouble is that we have not yet learned to hear them.

It was precisely this conception of our current condition—that of creatures who need to be transformed, to be taken up into a higher way of being—that animated the Byzantines. That is why Eastern Orthodox worship is so different from that of the Western churches. It is also why Orthodox civilization remained both more ascetic and more apophatic (skeptical of the capacities of reason in its current state) than the West. In adopting this stance, however, the Byzantines were true to the deepest insights of Greek philosophy. Just read the "Ladder of Love" in the *Symposium*, or the account of the education of the guardians in the Republic, or the story of how the soul can regrow its wings in the *Phaedrus*. They are all about how our perception of reality must be transformed by the right kind of intellectual and moral practice. The aim is not the discovery of this or that particular truth. It is to become a different kind of person, one who directly perceives and is attuned to reality and acts accordingly. Plato understood that this is not a purely intellectual endeavor but one which must embrace the whole person; that is why he has so much to say about love, justice, temperance, courage, politics, and even piety toward the gods. For Plato, all of life is an arena in which the soul must aspire to recover its lost vision and connection to its transcendent source.

Nor was Plato an isolated dreamer. We usually think of Aristotle as a hardheaded realist, who looks down rather than upward, as in Raphael's *School of Athens*. However, the *Ethics* is permeated by the

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awareness that moral practice is the essential prerequisite to perceiving reality correctly. That is why the discussion of the moral virtues leads naturally into that of the intellectual virtues and why the whole book culminates with a discussion of contemplation as the highest and most godly human activity. Aristotle urges us not "being men, to think of human things," but "so far as we can to make ourselves immortal, and to strain every nerve to live in accordance with the best thing in us." Professor Livingston charges that Aristotle, in his conception of God as self-thinking thought, makes God into a pagan philosopher. On the contrary, he makes the pagan philosopher into one who must strive to think and to see things as God does. There is a huge difference. In the true Aristotelian conception, the philosophical life is one of strict moral discipline and subservience to the nature of things. Nothing could be further from the autonomous reason of Descartes, let alone the self-indulgent posturings of Rousseau.

I must therefore dissent from the characterization of the philosophical act offered by Professor Livingston, at least as it pertains to ancient philosophy. What it overlooks is the overwhelming dominance of nature (Aristotle, the Stoics) or of Beauty and the Good (Plato). There are some exceptions, but, for the most part, the ancient philosopher never lost the sense that he is answerable to something greater than himself and that he must change himself to conform to it. This is the very antithesis of the revolutionary spirit. As for the "philosophical act" as such, I am not sure that there is much we can say about it, except that it takes on different forms in different cultures. What determined its specifically modern form was the dual blow delivered by the rejection of Tradition in the Reformation and the disenchantment of nature in the Scientific Revolution. Hume writes in the wake of these changes. He not unpardonably confuses the essential characteristics of modern philosophy with the essential characteristics of philosophy as such.

I yield to no one in my admiration for Professor Livingston's work, especially *Philosophical Melancholy and Delirium*, which I consider an indispensable guide to the pathologies of modern politics. As we take stock of our situation today, however, we must pay attention not only to the pathologies embedded in our culture but to lost opportunities and forgotten wisdom. For that, we can do no better than to look to the Greeks and their Byzantine heirs.

—David Bradshaw
Lexington, KY

On Sovereigntists

Sean Scallon's analysis of Quebec sovereignty (*Cultural Revolutions*, June) misses the point. In *Reference on certain Questions concerning the Secession of Quebec from Canada* (1998), the Supreme Court of Canada held that the people of Quebec have a constitutional right to press for independence by all means allowed in parliamentary democracy; that the people of Quebec have a constitutional right to a peaceful referendum, at public expense, on independence from Canada; that a clear vote on a clear proposition for independence cannot constitutionally be rejected by the government of Canada, which will have a constitutional duty to negotiate differences or grant independence in such a case; and that, if the government of Canada fails to negotiate in good faith, Quebec may proceed unilaterally to independence, which will become lawful as soon as the nations of the world recognize the new country, it being understood under international law that such recognition should be accorded as soon as the new regime successfully establishes a civilized legal order with the support of the population.

The separatist movement then and there began to die, because the right of secession made a termination of Anglo-Canadian hostility against Quebec a patriotic duty, whereupon French Canada immediately felt more comfortable within the union. The right of secession has greatly strengthened Canada, which is now united and loyal to the crown.

The defeat of the Parti Québécois in the spring 2003 election was not at all because of disgust over separatism as such. The Parti Québécois was defeated because a group of pseudointellectuals in the party leadership decided that the French Revolution must have been good because it was French and started to govern accordingly. That turned everybody off.

The new Liberal premier, Jean Charest, is as devoted a French patriot as has ever led a government or the opposition in the history of Quebec. Before him was Liberal premier Robert Bourassa, who gallantly fought for a special status for Quebec under the Meech Lake Accord proposed in 1987. Before Bourassa was Claude Ryan, who led the Liberal opposition when René Lévesque was premier in the late 1970's and early 80's and filed before the Supreme Court of Canada in 1998 an elegant statement affirming the right of Quebec to secede.

The other reason Quebec voted out the Parti Québécois is that the Liberal Party of Canada finally showed Jean Chrétien the door. Soon, he will be gone as prime minister, and everybody in Quebec feels a sense of relief. With the assistance of Stéphane Dion, Chrétien stirred up more ill will and resentment between Anglo-Canada and Quebec than any other politician surviving the age of Pierre Eliot Trudeau.

What the United States did wrong in 1860-65, Canada did right in 1995-2000.

—John Remington Graham
St-Agapit Quebec

Mr. Scallon Replies:

Who gets to decide what is a "clear vote on a clear proposition for independence?" Since 1996, Ottawa does!

Many Canadian federalists believe that one of the reasons the 1995 referendum almost succeeded was that the question was deliberately made vague in order to attract the broadest possible support. The Canadian parliament pushed through the Clear Questions Act in 1996 to prevent this from happening again. This was upheld in the Canadian Supreme Court, as Mr. Graham stated, in 1998.

Pierre Trudeau declared martial law in Quebec in order to break up the terrorist cells of the FLQ (Fronte Liberation du Quebec) in the early 1970's. I am convinced that Trudeau's protégé, Jean Chrétien, would have done the same to keep the separatists from reaching power. He would have been no different from Lincoln in this regard. The disaster of 1861-65 would have been repeated in Quebec.

That disagreement aside, Mr. Graham has stated in previous letters to *Chronicles* that the Québécois have used secession the way a good poker player uses a bluff. Far from missing the point in my article, I agree with Mr. Graham that Quebecers never hated Canada and viewed secession as more of a threat to get something from Ottawa than as something actually to be carried out.

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by Stephen B. Presser

Supreme Court Chaos

Nietzsche got it wrong. God is not dead, but that other mainstay of popular sovereignty and constitutional government in this country, the rule of law, is either finished or on life support. For decades the finest minds in the law schools and on the bench have argued that several hundred years of legal tradition, in which it was believed that the glory of the law and the Constitution was its fixed nature and that judges should not be in the business of making law, should no longer bind us, and we should wake up to the fact that it ought to be the job of those on the bench to alter the law in the manner they believe best for us. As Judge (formerly professor) Richard Posner writes in his latest book, arguing for something he calls a "pragmatic approach to adjudication," judges should simply "try to make the decision that is reasonable in the circumstances, all things considered." While judges take an oath to uphold the Constitution, all this means, according to Posner, is that

> The loyalty demanded is to the United States, its form of government, and its accepted official practices, which include loose judicial interpretation of the constitutional text and occasional overruling of decisions interpreting that text.

In a similar vein, Professor Louis Michael Seidman of Georgetown University School of Law has called for scholars and judges, as one reviewer of Seidman's book put it, to "abandon the notion that constitutional law settled matters" and to see, as Seidman puts it, that the decisions of the federal courts are "worthy of respect not because they are substantively right but because they are (or at least can be) grounded in a method and a culture that encourages uncertainty, ambivalence, and contradiction." We should be encouraged to view the work of our courts as "unsettling," as a means of keeping a "conversation" going, as offering losers in the political processes—such as legislation, elections, or even the drafting of the Constitution and its amendments—a means of continuing participation in the polity, thus contributing to the building of a "healthy political community." For Seidman, such a community is not built upon a foundation of stability or precedent; rather,

> Political community is maintained precisely because there is no permanent settlement and, indeed, no exclusive, agreed-upon method for amending temporary settlements. Instead, the community is built upon an endless battle, with no fixed rules and no hope of final resolution.

It would seem that our federal judges have either been reading or channeling Posner and Seidman, because the latest raft of decisions, particularly the Supreme Court's recent rulings that consensual homosexual sodomy is constitutionally protected and that the "equal protection" clause of the 14th Amendment permits state universities to give admissions preferences to students based on race, can only be explained as the work of jurists committed to rejecting precedent and implementing their own pragmatic visions for America or their own belief that the Constitution should be twisted lest erstwhile losers feel left out of the "community." Professor Seidman and others seem comfortable with "endless battle[s], no fixed rules and no hope of final resolution," but what he describes, and what has been going on in our courts for the last half-century at least, might better be viewed as a Hobbesian war of all against all.

Could it be that, somewhere in the middle of the last century, our legal educators, our judges, and perhaps even a majority of our politicians came to the conclusion that Nietzsche was right after all? Did the horrors of the holocaust, fascism, communism, and the other atrocities of Europe in the 20th century lead too many of our leaders to believe that the Christian moral tradition we inherited from Europe was a sham? Is that why the courts seemed to undertake a plan to eliminate, root and branch, any traces of that tradition from our public square, our schools, and our courts, so that mandatory prayer and Bible reading was forbidden in public education, crèches could no longer be erected on the village commons, and towns were forced to remove religious symbols from their corporate seals?

It is certainly a part of our nation's religious tradition (or was, at least, until recently) that true happiness cannot be found here on earth and can only be enjoyed in the life to come by the grace of God, so that our efforts here ought to be devoted to living a life of virtue and charity, the better to hope to secure that grace. In our early charters, early state constitutions, early laws, and even the decisions of our courts in the first century and a half of our republic, we will find religious tradition in evidence, as well as a recognition that it is the duty of our government to aid in that endeavor.

In its next term, the U.S. Supreme Court may well be poised to rule that the words "under God" in the Pledge of Allegiance and Alabama Chief Justice Roy Moore's display (recently removed from the rotunda of his building) of a granite monument containing the Ten Commandments violate the Constitution. Perhaps this will make "losers" in some political battles feel more included in the polity, but it also indicates that the justices of the Supreme Court have abandoned piety, if not their senses. In Hobbes' state of nature, anarchy reigned, it was intolerable, and the only way out was for the weak to subordinate themselves to the strong, perhaps in the hope that the strong would be guided by the interests of all, as revealed eventually by a beneficent deity. This is a hope all but abandoned by too many of our legal theorists.

Justice Scalia hinted in his dissent to the sodomy decision that the Supreme Court had taken sides in the ongoing "culture war," and Justice Kennedy buttressed his majority opinion in that case by referring to recent developments in Europe. The Supreme Court, then, may have come full circle; as it abandons our European Christian heritage, it is embracing a radically secular European vision being promoted by Brussels bureaucrats. Perhaps Nietzsche was right after all.

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THE RECALL ELECTION in California has dominated the headlines of late, thanks, in part, to Governor Hiram Johnson, the lion of the Western Progressives. The irony is that today's alleged "progressives"—in thrall to the special interests (*i.e.*, the public-employee unions)—are horrified by what their ancestors have wrought.

The Union Pacific Railroad was a great octopus that gripped the legislatures of a dozen states by their necks. Farmers were being driven off the land, while the solons in Sacramento loosed the railroads on previously "public" properties. Corporate power feeding at the public trough provoked a mighty rebellion that, in California, reached its climax with the election of the Progressive Republican Hiram Johnson as governor. We must "arm the people" to "protect themselves hereafter," said Johnson in his inaugural address. The organs of direct democracy—the initiative, the referendum, and the recall—were written into the state constitution. If the government displeased the people, they were free to tear it down. A California tradition was born.

Today, another sort of many-tentacled creature has the Golden State in a death grip: The public-employee unions, with their fat pension funds and exorbitant salaries, are draining the state dry, and the tax-happy Democrats, along with various fellow travelers, saw this as a great opportunity to do an end run around Proposition 13—California's historic tax-capping measure, passed by referendum in 1978.

Except that it didn't work. All it did was rouse the right-wing populist spirit of Howard Jarvis, the doughty old founder of the original tax-revolt movement, coauthor and guiding spirit of Prop. 13.

Suddenly, like one of those seismic shifts for which the state is renowned, the spirit of rebellion worked its way above ground: The movement to recall Gray Davis, our bloodless cur of a governor, caught on like a prairie fire. Oh, but they're *paying* for signatures, the faux-"progressive" friends of Governor Davis exclaimed. It's not democracy—it's a Vast Right-Wing Conspiracy!

It's much easier to buy the governor and the state legislature than to buy half of the electorate, but such arguments are useless when confronting the new elitists, who huff and puff about the evil Money Power—yet were silent while Governor Davis sold off the state piecemeal to the special interests, from the prison guards to the teachers' union.

The recall was a great victory for grassroots conservatives, but it was soon snatched away from them by Ah-nold and the Republican Party bosses, who co-opted the movement and turned a populist revolution into a Hollywood production.

As Ah-nold strides through glossy "upbeat" commercials, promising everything and proposing nothing, rumors of a possible tax hike are never denied by the Terminator's praetorian guard, including tax hiker Warren Buffett.

Meanwhile, the real conservative in the race is Assemblyman Tom McClintock (R-Thousand Oaks), the Ron Paul of California. "I'm a Jeffersonian Republican," he told the *Los Angeles Times*, "which means I believe the fundamental responsibility of a government is to preserve the liberty of the people, rather than to abridge that freedom for whatever fancies the government in power develops."

Unlike the Terminator with his vague promises, the real action figure here is the no-nonsense McClintock, who would do an end run around the recalcitrant legislature and make the necessary cuts in state-employee compensation by executive decree. This would allow him to cap the tax rate, cut back the bureaucracy, and contract out state services—a libertarian version of FDR's "Hundred Days."

Former California governor Pete Wilson and the Republican Party chieftains have always resented McClintock. He's a living reproach to their spineless opportunism, and they gave him no support when he nearly won election as state controller, losing by a few thousand votes, while the establishment's handpicked nominees, who garnered plenty of campaign dollars from GOP bigwigs, trailed far behind. With virtually no media exposure except a guerrilla campaign waged in the wilds of talk radio, McClintock's support has doubled since July, to 12 percent.

With Davis sinking fast and the success of the recall nearly assured, Davis's accomplices in the looting of the Golden State, otherwise known as the Democrats, are rallying behind the single most unattractive figure in California politics in quite some time. Carlo Bustamante, the lieutenant governor, is a little greaseball of a man whose oily persona is the perfect representation of the new identity politics. Ah-nold at least is perceptive enough to make his appeal to Californians' sense of regional pride: Bustamante's banner is the rainbow flag of aggrieved minorities who see government as their only possible champion and salvation.

The biggest weapon in the Terminator's arsenal is the threat posed by Bustamante: Should he win, the revolution will not only have been betrayed but will have been completely reversed. If the Buffet-backed tax increase is approved by Governor Schwarzenegger, however, it will have been betrayed anyway. McClintock is now under tremendous pressure to drop out: "Forget it," he says. "I know that's at variance with the country-club variety of the Republican Party, but so be it."

"From day one, I've said don't count Tom McClintock out," says Sherry Bebitch Jeffe, a political analyst at the University of Southern California. If the recall of Governor Davis heralded the rebirth of populist conservatism as a grassroots movement in California, then it may be just the beginning.

—*Justin Raimondo*

KOBE BRYANT, according to heavyweight sociologist Mike Tyson, is a victim of circumstance. "It could happen to anybody," Tyson explained. The ex-champ referred not to filing for bankruptcy, going Muslim, or biting off a piece of an opponent's ear, but to getting charged with rape—something apparently as random and undiscriminating as getting struck by lightning.

Bryant seems the opposite of Tyson, whose lifelong barbarism makes me wonder why he was not caged long before his three-year rap. At 17, Bryant was the NBA's boy wonder. At 24, he remains a great player who, at least until the late unpleasantness, projected a clean-cut image (he was a husband and father to boot) that made him a top draft choice for product endorsements. So, when he was charged in July with sexually assaulting a 19-year-old white concierge at an upscale Colorado hotel, media outlets, former NBA stars, and fans were shocked . . . shocked

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. . . shocked!

Or were they really?

Based on the media's mixed messages, it is hard to tell. On the one hand, some say the charge is baseless because any woman accusing an athlete of rape is probably a scam artist. Even before Bryant was charged, Fox News commentator Bill O'Reilly preemptively dismissed it: "A lot of people out there are looking to get something out of famous, rich people. . . . [M]alicious prosecution is certainly in this case, in any high-profile case, something that's looming in the background." Furthermore, as sports agent Drew Rosenhaus told Mr. O'Reilly, it is unthinkable that Bryant would engage in consensual sex, let alone rape, because "He had nothing to gain by getting involved with this conduct." (Mr. Bryant later admitted to consensual sex.) On the other hand, as ex-NBA star Charles Barkley told CNN's Larry King, NBA players who take it where they can get it ought not be subjected to media circuses because—in his apples-to-basketballs analogy—former New York City Mayor Rudy Giuliani slept around and the late Katharine Hepburn was a floozy, too.

Besides, who can blame these poor millionaires blessed with physical prowess for having alley-cat inhibitions? Major athletes are "the hot toy at Christmas," former Tyson attorney Daryl Soll told Fox. "Everybody wants to take them home. Only they get to choose who takes them home. And sometimes they make poor life decisions."

As inevitable as such "poor life decisions" may be, however, the dirty details must not be allowed to destroy young fans' delusions about their Christmas-toy-quality heroes. A Florida attorney already has petitioned the judge in the Bryant case to ban courtroom cameras. John Thompson, worried that his basketball-loving son might see sexually-explicit material on television during the Bryant case, argues that "This court cannot and must not ignore . . . the rights and wishes of millions of parents . . . to raise their children free of the intruding details of rape that we now can expect to see on ESPN . . . "

If protecting the young were Mr. Thompson's concern, he would be lobbying television networks to keep the smut out of programming altogether. This is not a matter of principle, however: TV smut is OK, as long as it does not involve these latter-day gladiator heroes/role models/corporate tools, whom fans may simultaneously praise as awesome sources of entertainment while disregarding them as otherwise worthless. Apparently, Americans and their children have the right to watch predatory athletes on the court or field without having to hear about their Neanderthal lives after the game is over.

Such athletes don't just turn into cavemen after achieving success, however. Many of them already are susceptible to behavior that lends itself to rape charges, hailing from an urban ghetto culture that glorifies the immediate gratification of personal desires, be they sexual, violent, or even gastronomical. The possible outcomes—pregnancy, murder, obesity—are secondary concerns, if considered at all. The culture of professional sport accepts and encourages this "Just Do It" sort of behavior. Elizabeth Kay, the author of *Ain't No Tomorrow*, a book about the Lakers dynasty, said the motto of the NBA players is "Play ball, get laid, sleep in."

The NBA is long overdue for a full-court ethical press, but other professional sports—and athletes who hail from beyond the ghetto—are blameworthy, too. Consider bodybuilding. In a 1977 interview with a pornographic magazine, Arnold Schwarzenegger described a culture of guilt-free sexual predation in which he enthusiastically participated. ("Gang bangs" were kosher if consensual.) "Having chicks around is the kind of thing that breaks up the intense training," he said. "It gives you relief, and then afterward you go back to the serious stuff."

Kobe Bryant may have thought so, too.

—*Matthew Rarey*

MEL GIBSON's movie "on the last 12 hours of Jesus' life" has stirred up all sorts of passions among interested observers the world over. *The Passion*, directed by Gibson and produced by Gibson's film company, Icon Productions, is scheduled to be released sometime during the Lenten season of 2004. The goal of this ambitious project, funded almost entirely by Gibson, a traditionalist Catholic, and (this phrase sounds bizarre, no matter how you intone it) starring James Caviezel as Jesus, is nothing short of evangelism. "It's about changing lives and changing hearts," Gibson told the *National Catholic Register*. And, in an interview with Christian editorialist Holly McClure, he added, "My hope is that this movie has a tremendous message of faith, hope, love, forgiveness and a message of tremendous courage and sacrifice. My hope is that it will affect people on a very profound level and somehow change them . . . "

Mr. Gibson, known to be a director obsessed with getting the details right (which won him an Oscar for *Braveheart*), has sought verisimilitude through graphic depictions of the suffering and brutal death of Christ (a vivid description of which the New Testament leaves out). Sparing no expense, he has employed new special-effects technology to show the cat-o'-nine-tails tearing through the flesh of the Savior and the large Roman spikes being pounded through His hands and feet. "I'm doing it in a realistic manner," he told McClure, "so that it doesn't suffer from the traps of a lot of biblical epics, which quite frankly, suffer from either being too corny, or laughable, or have bad hair or really bad music." In another attempt at realism, Gibson's script, based on the narratives in the four Gospels as well as *The Dolorous Passion* (an account of a private revelation by Sr. Anne Catherine Emmerich), has been translated by Jesuit scholar Fr. William Fulco into the languages of Jesus' day—Aramaic and Latin. (Some biblical scholars have expressed disappointment at this, noting that the Roman soldiers and the procurator Pontius Pilate undoubtedly spoke Greek, and it is quite possible that Jesus did, as well, in conference with His disciples and in His confrontation with Pilate.) In Gibson's film, the Roman soldiers speak the language of Cicero, though they pronounce it in the manner of Dante.

In following the Gospel narratives, Gibson's original screenplay and rough cuts have irked several key Jewish leaders by portraying Christ's arrest, trial, and transmission to Pilate as the work of "the Jews." Immediately after Mr. Gibson began to show a post-production version of his film to select audiences, members of the Anti-Defamation League sprung into action, denouncing the work, which, Rabbi James Ruden alleged, is "radioactive material." In the *Los Angeles Times*, Marvin Hier and Harold Brackman attacked Gibson by denouncing Sister Emmerich, an "early 19th-century German stigmatic who told of a vision she had in which she rescued from purgatory an old Jewish woman who confessed to her that Jews strangled Christian children and used their blood in the observance of

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rituals." (Such fantastic scenes, we can be sure, will not appear in the film.) The *New York Times* launched an attack on Gibson's father, Hutton, an octogenarian conservative given to historical revisionism and holocaust denial (more proof that the apple cannot have fallen far from the tree). Sr. Mary C. Boys of Union Theological Seminary (calling her or it a bastion of liberalism is an understatement) cried that, "For too many years, Christians have accused Jews of being Christ-killers and used that charge to rationalize violence." "This," said Sister Boys, regarding *The Passion*, "is our fear."

Most of the national media has marched in lock-step, raising red flags about Gibson's "lack of sensitivity" and echoing the "grave concerns" of Abe Foxman. *Esquire*'s Kim Masters even assured readers that Gibson will not be able to find a studio that will distribute his movie. Meanwhile, those generally thought "conservative" have denounced the denouncers. Rush Limbaugh, Michael Medved, Matt Drudge, Shawn Hannity, Bill O'Reilly, and others have insisted that everyone lay off of Mel. Drudge called the film "a miracle," and, "speaking as a Jew, I thought it was a magical film that showed the perils of life on earth." "This movie will hit you in the gut," said Limbaugh. "It has themes about man's inhumanity to man. It's also about one man standing by what he believes to be true—no matter the cost—and enduring."

Evangelical Christians, in general, have also rallied to Gibson's defense. The Rev. Ted Haggard, the president of the National Association of Evangelicals, further infuriated the ADL by offering Jews what Foxman called a dispensationalist "*quid pro quo*." "There is a great deal of pressure on Israel right now," said Haggard after a private screening of the film, "and Christians seem to be a major source of support for Israel. . . . For the Jewish leaders to risk alienating 2 billion Christians over a movie seems shortsighted." Catholics, also, have pledged support for Gibson, despite the efforts of the mainstream media to alienate them because Gibson has built a church for a schismatic congregation in California that celebrates the Tridentine Mass exclusively. (As we go to press, the Vatican has endorsed *The Passion*.)

"The real scandal," said Deal W. Hudson, the publisher of *Crisis*, in an August 23 editorial in the London *Spectator*, "remains the Gospel. The debate that has raged these past six months raises the question whether there is any way that Christians can portray the Passion, as depicted by the evangelists, without encountering charges of hostility and anti-Semitism." The answer, if you ask the ADL, apparently is "no." In a June 24 press release, the ADL said Gibson's film was "replete with objectionable elements that would promote anti-Semitism." Among such elements was "the unambiguous depiction of Jews as the ones responsible for the suffering and crucifixion of Jesus"; the "exploitation" of "New Testament passages . . . to weave a narrative that does injustice to the gospels, that oversimplifies history, and that is hostile to Jews and Judaism"; and the use of such "fictitious non-scriptural elements" as "excessive violence, Jews physically abusing Jesus before the crucifixion," and "Jews paying 'blood money' for the crucifixion."

Gibson, declaring himself not to be an antisemite, and hoping to pacify the ADL, modified his "realistic" film. Neoconservative Catholic scholar Michael Novak, in an attempt to exonerate Gibson, wrote in the *Weekly Standard* (August 25) that "Gibson omits some of the New Testament texts most painful for Jewish readers, such as 'His blood be upon us and our children!'" (Gibson, in an unguarded interview with the *New Yorker*'s Peter Boyer, admitted, "I wanted it in, . . . but, man, if I included that in there, they'd be coming after me at my house, they'd come kill me.")

Novak, who says he attempted to watch *The Passion* through the eyes of a Jew, goes on to claim that the Gospel accounts "often overlap and sometimes contradict . . . one another" and then launches into an all-but-dispensationalist description of Jews and Judaism. "From a Christian point of view, the life and teachings of Jesus and his new covenant do not remove or destroy the old covenant. God cannot be unfaithful to his promises. Besides, if the Creator is not faithful to his first covenant with the Jews, how can Christians expect Him to be faithful to His new covenant with them." (Interestingly, in the *Weekly Standard*, Novak usually capitalizes pronouns referring to God but never those referring to Jesus.) He continues that "Christians hold that Christianity fulfills the hopes launched into the world by Judaism. They also hold that those Jews who reject Christianity remain vessels of God's first love."

These qualifications of the Passion narrative, from both the ADL and Novak, run contrary not only to 2,000 years of Christian teaching but to the Old Testament, particularly as Christians were taught to interpret it by Christ's Apostles in the New Testament. They ignore one very important, though uncomfortable, element of the Gospel narratives: "The Jews" really did hate Christ, conspire against Christ, arrest Christ, "try" Christ, and saw to it that the Romans put Christ to death. "He came unto his own," reports Saint John, "and his own received him not." "His own" is not a reference merely to "certain Jewish leaders" but to the Jews *en masse*. Neither, however, is it a reference to the Jewish "race," as modern antisemites might think, but to the Jews as a people beholden to what Jesus and the Apostles described as a perverted form of the religion of the Old Testament—one that replaces a longing for the Savior with an ever-increasing legalism. (To call that religion "Judaism" is, at best, anachronistic, at least from a Christian perspective.) "The Jews," "Israel," "Jerusalem," and even "the Scribes and the Pharisees" are used almost interchangeably by the Gospel writers and Saint Paul precisely because of this.

Take, for example, Saint John's account of Jesus' trial (emphasis all mine). In John 18:12, the Apostle records that, after Judas' betrayal, "the band and the captain and officers of *the Jews* took Jesus and bound him," and, in verse 14, describes the high priest Caiaphas as "he, which gave counsel to *the Jews*, that it was expedient that one man should die for the people." "I spake openly to the world," says Jesus (18:20), "I ever taught in the synagogue, and in the temple, whither *the Jews* always resort." "Pilate answered [18:35], Am I a Jew? *Thine own nation* and the chief priests have delivered thee unto me." After this, Pilate [18:38] "went out again unto *the Jews*, and saith unto them, I find no fault at all." After attempting to satisfy them by scourging Jesus and placing the crown of thorns upon His head, "*The Jews* [19:7] answered [Pilate], We have a law, and by our law he ought to die, because he made himself the Son of God." When Pilate "sought to release him [19:12], *the Jews* cried out, saying, If thou let this man go, thou art not Caesar's friend." "About the sixth hour [Pilate] saith unto *the Jews*, Behold your King! But they cried out, Away with him, away with him, crucify him" (9:14-15).

Is it antisemitic for John, a Jew by birth, to lay the death of Christ at the feet of the Jews? If so, then the Jewish historian

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Josephus is also an antisemite. In *Antiquities* 18:3, he records: "Now there was about this time Jesus, a wise man, for he was a doer of wonderful works, a teacher. He drew over to him both many of the Jews and many of the Gentiles. And when Pilate, *at the suggestion of the principal men amongst us*, had condemned him to the cross, those that loved him at the first did not forsake him; and the tribe of Christians, so named from him, are not extinct at this day" (emphasis mine). Nor is Christ Himself antisemitic, despite His harsh criticisms of the Jews, for He wept over Jerusalem and sent out His messengers first unto the "lost sheep of the tribe of Israel."

By caving in to the pressure of the ADL, the media, and progressive theologians such as Novak, Gibson not only runs contrary to his stated goal of biblical and historical accuracy but risks altering the theological meaning of the Passion itself. Admitting the genuine historical accidents of the bitter sufferings and death of Jesus does not detract from the larger, greater theological truth that God the Father (Isaiah 53:10), Christ Himself (John 10:18), Pontius Pilate (the Nicene Creed), and the sins of the world (I John 2:2) also put Jesus on the Cross. In fact, it establishes it.

Mel Gibson's *The Passion* will be shown at theaters across the country in one form or another. Beyond concerns that Mr. Gibson might alter the substance of the Gospel narrative in order to please unbelievers, Christians should be aware that this "Icon Production" is but a movie, which is, essentially, an entertainment vehicle. The Word of God, as preached by faithful pastors and placarded by two-dimensional icons, still holds the power of God unto salvation, "to the Jew first and also to the Greek."

—*Aaron D. Wolf*

OBITER DICTA: Our first poet this month is **John Kilgore**. Professor Kilgore teaches literature and creative writing at Eastern Illinois University in Charleston, Illinois. He has published in the *Nebraska Review*, *McCall's*, *Nebula*, *Space and Time*, the *River King Poetry Supplement*, *TheScreamOnline*, and elsewhere. He won Illinois Artists Fellowships in 1987 and 1998 and published a small collection, *Improbabilities*, in 1991.

Our second poem is from noted Sydney poet **Andrew Huntley**, making his first appearance in these pages. Mr. Huntley's work has recently appeared in *AD2000*, *Adelaide Review*, *Christian Border*, and *Quadrant*. Collections of his work include *The Stone Serpent Dreaming* (Hale & Iremonger) and *Minor Pageant* (Island Press).

Our cover art this month is the work of **Don Troiani**. Mr. Troiani, an expert in military artifacts, is a consultant on Civil War uniforms and equipage for the upcoming feature film *Cold Mountain*. His work has appeared on NBC, CPTV, CNN, A&E, and the Discovery Channel, and in numerous publications, including the *Washington Post*, *U.S. News and World Report*, *American Rifleman*, *American Civil War*, *USA Today*, the *Boston Globe*, and the *Civil War Times*. He is the owner of Historical Art Prints in Southbury, Connecticut (*www.historicalartprints.com*.)

Our interior art is provided by our art director, **H. Ward Sterett** of Roscoe, Illinois. Mr. Sterett received his B.F.A. from the University of Colorado and his M.F.A. from Northern Illinois University, and he attended the L'Abri Fellowship, where he studied the effect of Christianity on art. He currently works as a sculptor, painter, and printmaker in Roscoe.

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Columbus Day

by John Kilgore

What we love is the Hollywood version:
The King tired, mind elsewhere, drumming his fingers,
The grandees clustered like skeptical buzzards,
A Capitan this and a Comisario that
And Don Diego Whatsisname who hates your guts;

And you:
Out-of-town hotshot with the fast pitch,
Pacing the terra cotta like you own it,
Talking India, talking Trade Routes, talking
Round Earth Theory;
All balls and brains, circumnavigation
In gold tights, with a cagey smile

For the second throne, where the Queen—
That Goya skin, those Reubens lips—
Listens, by God, leaning forward, her gown
Arching out from both hemispheres,
On purpose maybe, while those dark
Crucifying eyes say in perfect Italian,
Forget these stiffs, just sing to me, Baby.

So you talk sextants,
You talk colonies and gold and empire
Astrolabes, tea and spices,
Any damn thing you can think of—
Glories of the Faith, with a pitch
For Plymouth Rock between the lines—
While the King fidgets and looks for the major-domo
And Diego hawks in his pious beard
But the Queen cries
Stop! He can have my jewels!
And the room goes quiet
As a page of history.

So then you're off,
Already American as egg rolls,
Half-baked, hell-bent, scared green,
Sailing at the moon.
Three fire-sale ships with corny names,
A crew of hard cases even the Navy didn't want,
And brother Bart's usual lousy directions.
The patron saint of everyone
Who misses the turnoff and winds up in Cleveland;
Who flunks Geography and makes a fortune
Selling globes to grade schools.

You'll lose ships, catch fever; return goldless,
Tealess, spiceless, loaded
Mainly with new explanations:
"Navigational triumphs. Long-term potential."
The Queen turns bitchy and Inquisitorial, bad
As the dragons you took off her maps;
Takes Mass and cuts her losses
Sends out new governors in gray suits

While you keep looking.
Wave and helm and horizon, crossings
So long even the talk runs out;
The hulls get wormier, the crews more sullen.
You keep finding islands,
Natives staring in fifty languages,
Shoals where the full-grown women stand
Nude as coral in the dreaming heat.
The shorebirds wheel, the noon sea glints like iron;
Voices call from the warm reefs,
But not with news of India, and even the name
Goes to Vespucci instead.

But still it's you who navigates
The memory, crossing somehow
The mistaken seas, the lapping centuries
Down to us.

Genius of our hopeful journeys,
After fifty decades green as ever,
Mapless, misinformed, and still looking;
Bless again our misadventures,
Past the missed exits, the wrong turns,
Closing in at last on Columbus:
Not what happened, but what always might:
Upstart sailor chasing the moon,
Immigrant hustler with nothing to lose,
Daring the world's edge, betting the farm,
Making India come to you, Mohammed style.

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by Thomas Fleming

The Christian Militant

"The trowel in hand and the gun rather easy in the holster"
—Nehemiah, according to T.S. Eliot

"Say you got two Gucci jackets, you hock one and you get yourself a gat."
—The "Bad" News Bible

Jesus, contemplating His departure from this world, instructed His disciples to arm themselves, and, ever since, Christians enrolled in the Church Militant have made use of whatever defensive weapons the technology of the age produced—swords in the first century, automatic rifles in our own. In the struggle against evil, Christians who decline to fight comprise a fifth column, doing the enemy's work on the home front.

Christian pacifism is a contradiction in terms. A self-described Christian pacifist—or Christian vegetarian or Christian socialist—is only a pacifist, vegetarian, or liberal who wraps himself in the comforting language of the Christian Faith. Christians are called upon to make peace, treat animals decently, and practice charity, but these virtuous practices derive from the Faith; they do not determine it.

Many American Catholics, in rebellion against both their Church and the Christian faith, say that it is always wrong to take a human life. To pick apart the moral theology of "Christian" liberals would be an easy but disagreeable task. (Breaking butterflies upon a wheel is the waste of a good piece of torture equipment. Better to save it for the next Inquisition.) And serious Christians who want to know what to think about war, capital punishment, and self-defense should not waste time debunking the non-Christian theories of Thoreau, Gandhi, and King, Jr., or the heresies of the Amish. Instead, we should look directly at what the principal Christian traditions have taught. But, to decide whether a Christian is permitted, say, to use a gun to defend his property, we first have to understand the Church's more general moral teachings, not only on justice but on life and death.

Christians know that our life on earth is, as Shakespeare's Prospero declares, "rounded by a sleep." On this earth, life without death would be poetry without rhythm: limitless and therefore pointless. A virus might live for ever, feeding off bits of protein and constantly tangling and untangling its symmetrical spaghetti of DNA. The genetic variations made possible by sexual reproduction make the death of individual organisms inevitable. Without sex and death, life might have evolved into one great superorganism, immortal as well as immoral, resembling the modern pantheists' conception of Gaia, the vast living ecosystem and planetary consciousness of which each human individual makes an infinitesimal part.

"Mere existence" of any kind, for the Christian, is never the issue, though a fearful Dr. Johnson once declared that it was "so much better than nothing, that one would rather exist even in pain than not exist." That was the voice of Johnson's fear and self-doubt talking. He knew as well as anyone that death is central to the Christian creed: It is punishment for sin. Christ Himself endured the torments of death in order to redeem mankind, and each of us must die in order to enter eternal life.

> Except a corn of wheat fall into the ground and die, it abideth alone: but if it die, it bringeth forth much fruit. He that loveth his life shall lose it; and he that hateth his life in this world shall keep it unto life eternal [John 12:24-25].

It is death that makes life so precious. Even Adam and Eve lived under the shadow of the death that might come to them if they rebelled against their Creator, and some protoplasmic earth-blob that were to go on growing throughout eternity would endure an existence without moral, much less spiritual, significance. It is the moral dimension of life that makes it sacred to the Christian.

Saint Thomas speaks of man's rational life or soul as the quality distinguishing him from the beasts, and some rationalist philosophers have concluded that it is reason (as opposed to humanity *per se*) that must be protected. Since unborn babies and the mentally defective are no more rational than fish, their lives would not necessarily be covered by prohibitions against murder, while computers might some day possess a higher right to life than human beings of ordinary intelligence.

For Christians, however, reason is significant because it enables people to make moral choices and not because creatures with highly developed rationality can solve mathematical puzzles, pass the exams for Harvard Law School, or make a six-figure income working to subdue the planet for Bill Gates. Birds and beasts are not moral creatures, even potentially; the fact of their low intelligence is incidental, and, if we are occasionally obliged to preserve their lives or protect them from suffering, it is an obligation we owe not to them but to ourselves and to the God Who created birds and beasts and man.

There is no unqualified right to life, even to human life. Human life *per se* is precious and is to be preserved, but within certain limits. Christians are required to believe that, in committing sins, we earn, once again, the wages of sin that our original parents passed down to us, and, whatever a believer might think about the inhumanity of the death penalty, no philanthropic illusion should blind him to what the cold-blooded murderer has deserved by carrying out his decision to take an innocent life.

From the Pentateuch, we learn that we have a human responsibility to preserve the sanctity of life by killing those who have abused it. "Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man" (Genesis 9:6). In other words, it is precisely because life is a divine gift that the murderer deserves death. The Law lists a great many crimes for which the penalty is death: homicide, witchcraft, idolatry, bestiality, incest. It is even permitted to kill a thief with impunity: "If a thief be found breaking up, and be smitten that he die, there shall be no blood shed for him" (Exodus 22:2). And the Christ Who came not to change one jot or tittle of the Law did not overturn its foundations.

The Church more than once declared executions to be right and proper, and the current Roman Catholic Catechism, while recommending mercy in language whose vagueness approaches equivoca-

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tion, includes the concession that:

> [T]he traditional teaching of the Church has acknowledged as well-founded the right and duty of legitimate public authority to punish malefactors by means of penalties commensurate with the gravity of the crime, not excluding, in cases of extreme gravity, the death penalty.

This power over life and death, according to a passage of Paul (Romans 13), which good Lutherans love to cite, has been entrusted to secular rulers, whose authority comes from God.

In his article on homicide (Summa Th. II ii, 64), Saint Thomas bases his argument on the Scriptural injunction (Exodus 22:18) that we are not to suffer those who do evil (*i.e.*, sorcerers) to live. Although human rulers are entrusted with the sword, punishment is sometimes sent directly against guilty men, when they refuse to enforce the divine law. Thomas points out that only two crimes have merited a mass extinction: sodomy, the crime for which Sodom was destroyed, and homicide, because of which the Flood was unleashed upon the world. Nonetheless, he stipulates, the power to kill sinners belongs not to private citizens but to the rulers, who function as physicians in society. It is never right to kill the innocent, even for the best of reasons, and patriotic Christians who endorse the terror-bombing of civilians are as wrong in their way as the Episcopalians who selected a homosexual bishop.

According to Thomas, the only occasion on which a private person is permitted to take a human life is when his own has been threatened. A thief may be killed, however, if the primary object is to protect a human life and not to prevent a theft. We should apply the principle of "*vim vi repellere*" (repel force with force) with moderation, but we are not obliged to risk our own safety in order to avoid killing another, "because a man is bound to look after his own life more than another's."

Like most Catholic writers, Thomas viewed the subject of self-defense in the light of the Roman tradition. The Romans, like most Indo-European peoples, were truculent and violent, and the Roman authorities, both under the republic and under the early empire, took steps to prevent the revenge killings and street fights that were as common in the age of Cicero as they were in the Renaissance Verona that Shakespeare depicts in *Romeo and Juliet*. Early Christians, notably Saint Paul, assumed that Roman law, despite the defects of its judges and officers, was a force designed primarily to punish the wicked and protect the innocent. Acts of self-help and personal vengeance, even when they seemed justified by circumstance, were to be discouraged, because they undermined a public order that was fundamentally good.

Although this view persisted, to a great extent, in the Eastern Roman Empire down to the fall of Constantinople in 1453, conditions in the West made such an approach impossible. The Goths and Franks and Lombards, who snatched up fragments of the Western empire, had preserved the violent habits of primitive Indo-European man. Free men went armed, quarreled, dueled, and sought revenge from their enemies. Churchmen could preach themselves hoarse, but it took many centuries before our barbarian ancestors could be made to listen, and the reality of life in, say, medieval Denmark was that a man who would not avenge a murdered father or brother was saying to all his enemies, real and potential, that he and his wife and children and friends were soft targets. It is easy for us to tell Hamlet that he should not avenge his father by killing his uncle, but where else is justice to be sought? Not from the Danish court, certainly, when the murderer is the king of Denmark.

In its social teachings on marriage and revenge, the Christian Church has always upheld the ideals of civilized life, even in ages when barbaric customs hindered their implementation. It took centuries of preaching and diplomacy to persuade the Frankish nobility to abandon their traditions of polygyny and blood revenge. In more recent years, postcivilized America faces a worse problem. After all, polygyny is a kind of marriage, and vengeance is the natural foundation of capital punishment. We, however, are living in a society where fewer and fewer people get married and fewer still preserve the Christian view that executions are an expression of the divine power of vengeance that has been delegated to human governments.

Refusal to punish homicide with death is something new under the sun that has shone on Greeks and Jews, Franks and Saxons. The last age in which murders went unpunished was the time preceding the Flood. "And God said unto Noah, The end of all flesh is come before me; for the earth is filled with violence through them; and, behold, I will destroy them with the earth" (Genesis 6:13). After the Flood, when Noah and his family leave the ark, blinking in the bright sun, to return to the dry land, they make a sacrifice of burnt offerings. The Lord resolves that He will not "again curse the ground any more for man's sake, for the imagination of man's heart is evil from his youth."

After the Flood, man is to be given a second chance in a restored creation, where he will build a civilization. All that is demanded of him is to turn away from his violent ways. He must give up eating meat with the blood of life in it, and he must punish killers with death: "at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man." These words are more than an expression of divine approval for capital punishment, which would have been carried out, in the days of the patriarchs, by means of the revenge taken by brothers and blood-kin. Joseph de Maistre, in other words, was right: Civilization does rest upon the hangman.

God, as the Governor of the universe, has the power to give and take away life, and He has instructed us, who are made in His Image, both to increase life ("be fruitful and multiply," He tells Noah and all living things) and to take it away from those who have broken God's law by killing another human being without justification.

More hangs on this explicit commandment than the legitimacy of capital punishment or even the flourishing of civilization. The very existence of mankind, we are told, depends on our willingness to kill killers. If we refuse to execute murderers, we are breaking our part of the bargain, and, if the entire human race were to follow in the footsteps of Europe and the more liberal states of the United States, we can only assume that we are courting our own destruction.

Even a reasonable atheist, surveying the ruins of American cities, where the murder rate is 20 to 30 times that of Austria or Switzerland and only a tiny fraction of convicted murders are actually executed, would suspect that human life, as we have lived it since the Flood, is on the verge of extinction. The world of the future, the way we are going, will belong to clones and homosexuals and the violent humanoid insects that prey upon defenseless humanity. c

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by Paul Gottfried

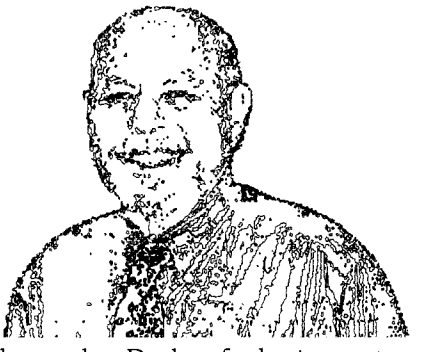
Lies and More Lies

Having come across several references this spring to a French literary critic, Jean Sévillia, who is criticizing leftist historical reconstructions, I read his two most recent books, *Le Terrorisme Intellectuel* (2000) and *Historiquement correct: Pour en finir avec le passé unique* (2003). An associate editor of *Le Figaro* magazine, Sévillia makes clear that he is sick of "anti-fascist" polemics and has set out to demonstrate their dishonesty. What make Sévillia's investigations especially useful are his caustic refutations of leftist orthodoxies.

He is merciless in going after the now widespread and deeply embedded lies that the communists in France were always the backbone of the anti-Nazi resistance, while Catholics and monarchists happily collaborated with the German invaders. Particularly since the 70's, with the appearance of Marcel Ophuls' interminable pseudodocumentary on Clermont-Ferrand during the occupation (*Le Chagrin et la Pitié*) and with the publication of the book *The Jews in Vichy France* (1973), by Michael Marrus, the view has come to prevail that wartime France swarmed with pro-Nazi collaborators, typically identified with the Church and the nationalist right. The older historical account, typified by de Gaulle's memoirs and Robert Aron's *Histoire de Vichy*, which emphasized the difficult situation caused by the French military debacle in June 1940 and the harsh peace subsequently imposed by Hitler, has gone out of fashion. Although well documented, the heroic view of resistance has come to represent, for the French left and for the holocaust lobby, proof positive of the unwillingness of the French to "confront" their fascist-stained past. The antisemitic legislation enacted by the Vichy government in 1940 and 1941 and the deportation of foreign Jews from the Vélodrome d'hiver in Paris on July 16-17, 1942, became the ultimate expressions of what Bernard-Henri Lévy has called the "unpurged French national past." Such grim accusations have also surfaced among neoconservatives, at least since France refused to join our crusade for democracy in Iraq. As Richard Brookhiser observes in *American Heritage* (Fall 2003), France has yet to deal with its "ultra-royalist past," which has produced antisemitism and the "rabble-rouser Jean Le Pen." Putting aside the question of whether Le Pen is an "ultra-royalist"—something that would undoubtedly be a revelation to him—one has still to explain how the revised p.c. version of what went on in France during the occupation is more accurate than what noncommunist *résistants* had said before.

Sévillia insists with justification that it is not. Moreover, the attempts to impose this version, he says, fit the communist agenda of distorting the past for ideological purposes while decrying those who do not go along as "Holocaust neglectors," an accusation that has been visited on those proud few who dare to notice Stalin's atrocities or the ramifications of communist-Nazi collaboration in 1940. Sévillia rakes over the coals those mendacious French soldiers of conscience, perpetually forming "committees of vigilance" to denounce Solzhenitsyn, Alain de Benoist, Hector Berlioz, or anyone else alleged to have contributed to "European fascism." What these partisans studiously avoid noticing is who really dragged down France in 1940—the Communist Party, which actively discouraged resistance to the German invasion and whose head, Maurice Thorez, ran to offer his cooperation to the occupying Germans on June 26, 1940. What the French left and, unfortunately, some Jewish organizations in France have done is to exaggerate the influence and wickedness of a certain preferred enemy.

Most of the French nationalist right, including the members of the largest conservative nationalist league, Croix de Feu, fought and died in the struggle against Nazi Germany; Croix de Feu director François de La Rocque was a republican, not a monarchist, and was killed by the Nazis as a *résistant*. There is simply no evidence that French Catholic prelates sympathized with Nazi ideology; in fact, the archbishops of Toulouse, Marseilles, and Lyons all denounced fiercely the humiliation of French and foreign Jews. In June 1944, the bishop of Clermont-Ferrand, the city featured in Ophuls' supposed exposé, was arrested and



deported to Dachau for having protected Jews in his diocese. Most foreign Jews in France were never collected and sent to the Vél because French Christians, both Catholic and Protestant, and even the Vichy police shielded them.

Sévillia has no trouble proving the gross exaggeration of the association of the French right and the royalist right with Nazi ideas and policies. De Gaulle came from a Catholic monarchist family; Philippe Pétain benefited in his initial rise in the French military from his family's anticlerical, Radical Republican connections. The nationalist monarchist newspaper *Action Francaise* had called for an immediate invasion of Germany when Hitler occupied the Rhineland in 1936. Vichy cabinets were full of former leftists and even those who came from families that had been Dréyfusards 40 years earlier. Pierre Laval and Jacques Doriot were hardly the exceptions in this regard. Although the French "national revolution" did appeal to nationalist and religious symbols, it also invoked French pacifism, long represented by archcollaborator Marcel Déat. The antisemitism that the Vichy regime whipped up was by no means a rightist monopoly. It was strongly present on the French socialist left since the early 20th century.

France and Italy *did* "come to terms" with their collaborationist pasts, when, in 1944 and 1945, communist partisans shot tens of thousands of their countrymen and incited postwar governments to try hundreds of thousands more for being exactly what the communists had been—Nazi collaborators. While the French left continues to propagate self-serving historical lies in multiple publications and documentaries, Sévillia is there to shine the light of truth. Unhappily "anti-fascist" laws springing up all over Europe may soon turn such work into a crime.

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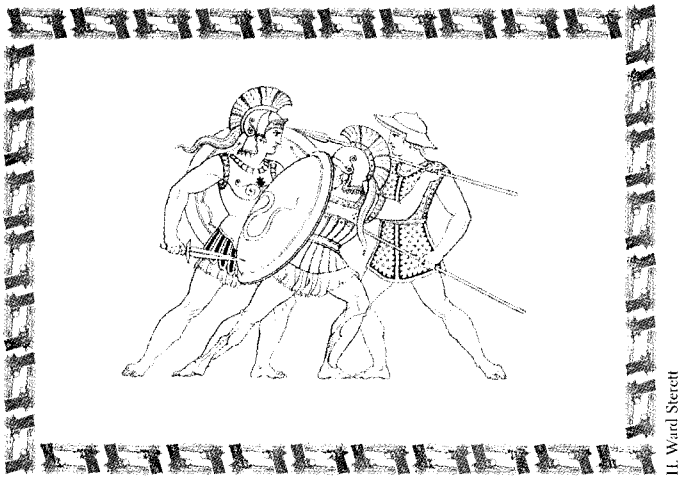
A God-Given Natural Right

"Shall Not Be Infringed"

by Roger D. McGrath



H. Ward Sterett

I do not believe in unilateral disarmament: not for the nation; not for our citizens. Neither did the Founding Fathers. They were students of history, especially of classical antiquity. They knew the history of the Greek city-states and Rome as well as they knew the history of the American colonies. This led them to conclude that an armed citizenry is essential to the preservation of freedom and democracy. Once disarmed, populations either submit meekly to tyrants or fight in vain.

The ancient Greeks knew this. The Greek city-state of Laconia had a population that was five percent Spartan (the warrior aristocracy), one percent *perioeci* (small merchants and craftsmen), and 94 percent *helots* (serfs bound to the soil). It is no mystery how five percent of the population kept 94 percent of the people enslaved. The *helots* were kept disarmed and, if found in possession of a weapon, were put to death.

Meanwhile, most of the Greek city-states were bastions of democracy because they had developed strong middle classes of armed citizens known as *hoplites*. Supplying their own weapons and equipment, the *hoplites* went into battle not out of fear of punishment or in hopes of plunder and booty, as did subject peoples of the Oriental empires, but to defend their liberties and to protect hearth and home. They fought side by side with neighbors, brothers, fathers, sons, uncles, and cousins. They did their utmost to demonstrate courage, side by side with their comrades in arms. If they lost a battle to the armies of an Oriental despot, they stood to lose everything—property, freedom, democracy. A defeat for subject peoples usually meant nothing more than a change of rulers.

The ancient Romans also knew this. When Tarquin, the Etruscan king of Rome, issued an order—for the public good, for safety and security—that the Romans be disarmed, they rose in rebellion. Tarquin was driven from the city, and the early Roman Republic was established. For several hundred years, Rome was defended not by a professional army of mercenaries or subject peoples but by armed citizen-soldiers who left the farm from time to time to serve the republic. Once the system broke down, the Roman Republic was transformed into an empire similar to the despotic regimes of the East.

Death and destruction commonly followed disarmament. England did it to the Gaels—the Irish and Scots—and the consequences beggar description. England had been fighting in Ireland for hundreds of years by the time the English got Irish leader Patrick Sarsfield to sign the Treaty of Limerick in 1691. The treaty guaranteed all Irish full civil, religious, and property rights. In return, it required that Sarsfield and more than 20,000 of his soldiers leave Ireland for the Continent.

With the armed defenders of Ireland overseas, England began to abrogate the rights supposedly guaranteed by the treaty. Beginning in 1709, England passed the statutes that collectively became known as the Penal Laws. One of the first of these laws declared that, for public safety, no Irish Catholic could keep and bear arms. Then the Irish Catholic was denied the right to an education, to enter a profession, to hold public office, to engage in trade or commerce, to own a horse of greater value than five pounds, to purchase or lease land, to vote, to attend the worship of his choice, to send his children abroad to receive an education. By the time the last of the Penal Laws was enacted, the Irish, although they were not chattel property, in many ways had fewer rights than black slaves in America. The Irish were kept on a near starvation diet, and their life expectancy was the lowest in the Western world.

Things were not much better in the Highlands of Scotland. England had subdued the Lowlands by the 14th century, but the Highlands, the truly Gaelic portion of Scotland, continued to be troublesome well into the 18th century. A major rebellion

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erupted in 1715; another, in 1745. The end for the Highlanders came at the Battle of Culloden in 1746. Following the battle, the English built a series of forts across the Highlands and passed laws for the Highlanders—who were originally Irish, of course—similar to the Penal Laws. England made it a crime for the Highlanders to wear kilts, play bagpipes, and keep and bear arms. A Highlander found with a claymore or any other kind of sword or arm was put to death. The English army, understanding that it is easier to starve a fierce enemy into submission than to fight him, eagerly slaughtered the cattle herds of the Highlands, precipitating a great starvation. Thousands of Highlanders died or fled. The English later engaged in the infamous "clearances" in which thousands more were driven from the land. Without arms, the Highlanders were helpless.

> The Founding Fathers did not want every man armed in order to shoot Bambi or Thumper, although they had nothing against doing so. The Founding Fathers wanted every man armed in order to shoot soldiers or police of tyrannical regimes who suppress the rights of free men.

What the English did to the Irish and Scots was not lost on our Founding Fathers or on the colonists in general. More than a quarter of the colonists were Irish or Scottish or Scotch-Irish. When England tried to disarm the American colonists, all under the guise of preserving public order and peace, the colonists reacted violently. While it is rarely taught in schools today, the reason the British army marched to Lexington and Concord was to confiscate the arms caches of the local citizenry.

It is not by accident, then, that the Framers of the Constitution ensured that the government could not infringe on "the right of the people to keep and bear arms." It is important to understand that the Second Amendment grants no right to the people to keep and bear arms. This is a point misunderstood by most Americans today, even by most of those who are interested in keeping their guns.

The Second Amendment, like the First, recognizes a God-given, natural right of the people and guarantees that the government not interfere with the exercise of that right. Note the wording of the amendment. Nowhere does it say, "This Constitution grants the people the right to . . ." Instead, it says "the right of the people . . . shall not be infringed." The right to keep and bear arms, like that of freedom of speech, is known, constitutionally, as an inherent right. By contrast, the Sixth Amendment right to be represented by an attorney in a criminal case is a derivative right—a right that comes from the Constitution.

To understand this is critical to all arguments about guns, or about freedom of speech, or religion, or the press. These freedoms were not given to us by the Founding Fathers. They were recognized by the Founding Fathers as God-given, natural rights that existed long before the establishment of our republic. These rights are not granted to men by a benevolent government but given to man by God. They are not to be destroyed, suppressed, or even compromised. When they are, it is the duty of the citizens to rise in revolt, overthrow the government, and establish a government that will protect these unalienable rights. Sound familiar? It should. This was the philosophy of our Founding Fathers.

The most basic of the natural rights of man is the right to self-preservation, the right to self-defense. No one would deny that we have such a right. In debates at universities and at other public forums, in debates on radio, in debates on television, I have never seen anyone deny that man has a natural right to self-defense. It follows that, if man has a natural right to self-defense, then he has a right to the arms necessary for that self-defense. The right to be armed is a logical and inescapable corollary of the right to self-defense. We cannot have one without the other.

If we do not have the right to the arms necessary for self-defense, then the right of self-defense is purely theoretical—something like having freedom of the press but not being allowed access to a printing press. Can you imagine the National Rifle Association telling the *New York Times* that it has freedom of the press but it may not have printing presses, or that the *Times* can purchase only one printing press per month, or that its writers must undergo background checks by the government, or that it cannot buy ink for the presses in New York City, or that its presses have limits on their speed and capacity, or that its presses must meet certain design requirements? If any of this were suggested, the *Times* would squeal like a stuck pig, and well it should.

Some people, presumably well intentioned, argue that the right to arms (and, thus, the right to self-defense) should be compromised—compromised further than it already has been—in an effort to make society safer. Such a position is ironic on two counts.

First, many of the same people who make gun-restriction arguments, such as the ACLU, would be apoplectic if it were suggested that freedom of speech be curtailed to ensure greater public safety. For example, we could have a two-week waiting period on expressing an opinion after the opinion was duly registered with a government agency. That way, the government could screen the opinion to ensure that it was politically correct.

The compromise-your-rights-for-safety argument is also ironic because the thousands of gun laws on the books—municipal, county, state, and federal—have done nothing to stop crime. In fact, they have done the opposite. The laws, for the most part, have disarmed, or made access to guns more difficult for, the law-abiding, peaceable citizen. Criminals do not turn in their guns. Murderers, rapists, and robbers do not obey gun laws. However, they do calculate the risks involved in committing crime. If they can assume that potential victims are unarmed, they are emboldened and are more likely to attack.

John Lott, in *More Guns Less Crime*, an exhaustive county-by-county study of rates of gun ownership and crime, concludes that the counties with the highest rates of gun ownership have the least crime and that those with the lowest rates of gun ownership have the most crime. For years, this has been obvious

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when looking at cities. Washington, D.C., and New York City, for example, with the most restrictive gun laws in the nation, have, for a generation, been cesspools of crime. Criminals there know that they can count on their victims being unarmed.

I suspect that even deeply disturbed killers, such as the teenage boys in Littleton, Colorado, understood that they could kill with impunity in the disarmed environment of the high school. The presence of a highly trained, armed security guard, with a reputation as an expert marksman, may have deterred them. If not, then the guard might have granted them their suicidal wish before they were able to commit mass murder. One or two key teachers, trained and armed, might also have made a difference. Certainly, gun laws did nothing to stop the killers. The two boys violated more than a dozen different gun laws, including one of the oldest on the books—possession of a sawed-off shotgun. Gun laws promise much and deliver little, because they affect only the law abiding, something like sheep passing resolutions requiring vegetarianism while wolves circle the flock.

I grew up in Los Angeles when gun laws were few and crime was low. Nearly everyone I knew had a 30.06, a couple of .22's, a shotgun, and a revolver or two sitting around their house. We could buy guns mail-order and pick up our ammunition at the local grocery store. A gun was a common companion to the road maps in the glove compartment of the car. Did this cause crime? In 1952, there were 81 murders in Los Angeles. In 1992, 40 years and many gun laws later, there were 1,092 murders. If the increase in murder had kept pace with the increase in population, there would have been 142 murders, a 75 percent increase. Instead, murder increased 1,350 percent. Other crimes had similar increases: robbery, 1,540 percent; auto theft, 1,100 percent.

The Los Angeles Police Department used to solve more than 90 percent of the murders committed in the city. Today, the figure is 60 percent. Detectives complain that the caseload is too great to conduct the kind of thorough investigations that were common in the 40's and 50's. It is far worse for lesser crimes. Merchants complain that customers brazenly walk out of their stores without paying for merchandise because they know that the police will not respond (at least in a timely fashion) to a call reporting shoplifting. Cars are stolen so often, some 200 per day, that the LAPD does nothing more than list the vehicle on a "hot sheet" and wish the victim good luck.

In the 50's, if your bicycle were stolen, the police would come out to your house and take a report. Try calling the LAPD today and telling them that your bike has been stolen! The police are simply overwhelmed by the sheer volume of crime and are kept fully occupied by murder, armed robbery, and rape—occupied, that is, by the aftermath of murder, armed robbery, and rape. When police arrive at the scene of a crime, the crime has already taken place—the victim has already been murdered, robbed, or raped.

"Carjacking" has become quite common in Los Angeles, because the carjackers know that California drivers cannot legally carry loaded firearms and will nearly always be unarmed. Occasionally, carjackers make poor choices. Three such carjackers followed my friend's son, Justin, as he drove home in his new car late one night. Little did they know that Justin was a reserve police officer. They did not know that he was well armed and an expert marksman.

When Justin pulled into the family driveway and got out of his car, one of the carjackers jumped out of his own vehicle and yelled at Justin, whose back was turned, "Freeze, motherf---er!" It was exactly what Justin had expected. Justin spun about and emptied the contents of his .45 into the carjacker. The carjacker's partners sped away as fast as their car would take them, leaving their good buddy very dead on my friend's front lawn.

Not long after Justin had sent the carjacker to the great salvage yard in the sky, I read of an off-duty police officer who had a similar encounter. On his way home and wearing plainclothes, he stopped to make a phone call. While he stood talking to his wife on an outdoor public phone, two muggers rushed up to him. One of them brandished a gun and said: "Your wallet!" Instead of pulling out his wallet, the cop drew a gun and sent the mugger to the morgue.

The *Los Angeles Times* noted that the mugger certainly picked on the wrong person. This is the same *Los Angeles Times* that regularly editorializes against an armed citizenry and has never seen a gun law that it did not like. Somehow, the newspaper thinks that disarming peaceable, law-abiding citizens will affect criminal behavior for the better. Disarming peaceable, law-abiding citizens *will* affect criminal behavior—but for the worse. Criminals will be emboldened because their chances of picking on the wrong person will be dramatically reduced. Shouldn't the opposite be the case? Shouldn't every person be the wrong person or, at least, potentially the wrong person?

> Nowhere does the Second Amendment say, "This Constitution grants the people the right to . . ."

Grandstanding politicians love to rail against the gun. Inanimate objects are good targets to beat up on. That way, politicians do not have to address the real problems in our society. We pay a price for this craven misdirection, though, in thousands of murders, muggings, rapes, robberies, and burglaries.

Yet that is not the greatest danger we face. The Founding Fathers knew that *governments* could turn criminal. That is the principal reason they wanted every man armed: An armed citizenry militates against the development of tyranny. The Founding Fathers did not want every man armed in order to shoot a burglar, although they had nothing against doing so. The Founding Fathers did not want every man armed in order to shoot Bambi or Thumper, although they had nothing against doing so. The Founding Fathers wanted every man armed in order to shoot soldiers or police of tyrannical regimes who suppress the rights of free men.

When governments become criminal, they disarm the populace. Then the numbers of deaths reach the tens of thousands, the hundreds of thousands, the millions. Can't happen? Ask the Irish and the Scots, or the Armenians, the Ukrainians, the Jews, the Chinese, the Cambodians.

In the Marine Corps, I was trained never to surrender my weapon. It was good advice then, and it is good advice now. I shall put my faith not in the good will of governments but in an armed citizenry—a band of brothers—steeped in the ideology of the Founding Fathers and the spirit of Patrick Henry, who said: "Is life so dear or peace so sweet as to be purchased at the price of slavery and chains. I know not what course others may take, but as for me, give me liberty or give me death." c

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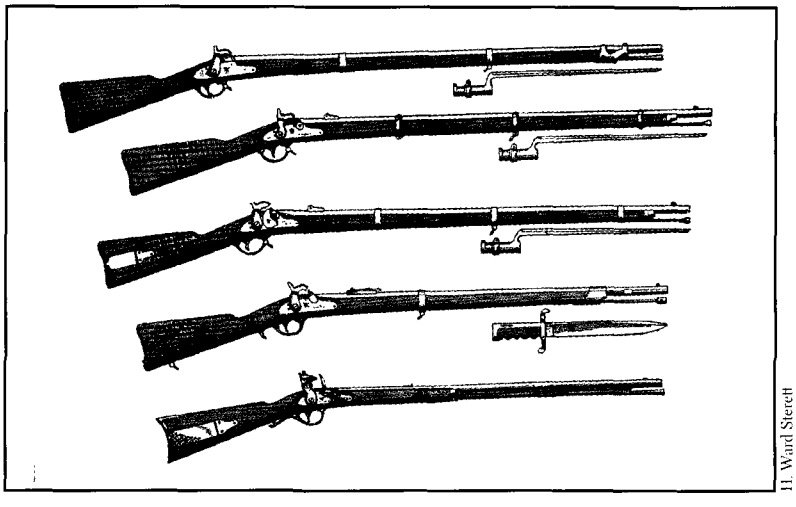
Americans' Right to Own Firearms

The Citizen *Versus* the State

by Don B. Kates



H. Ward Stereff

While it allows many controls, the Second Amendment to the Constitution guarantees to every responsible, law-abiding adult the right to own firearms.

To the political philosophers who influenced our Founding Fathers, arms possession by good people was crucial to a healthy society. Thomas Paine foreshadowed current gun-lobby slogans (*e.g.*, "When guns are outlawed, only outlaws will have guns"; "Nobody ever raped a .38") when he wrote:

> I am thus far a Quaker, that I would gladly argue with all the world to lay aside the use of arms, and settle matters by negotiation, but unless the whole will, the matter ends, and I take up my musket and thank Heaven He has put it in my power.

Our classically educated founders looked back to the Greek and Roman republics where good citizens were armed and prepared to man the walls when the tocsin signaled approaching danger. They honored Aristotle's teaching that free states depend on an armed citizenry, while tyrants "mistrust the people and therefore deprive them of their arms," and that the confiscation of the Athenians' personal arms had been instrumental to the tyrannies of the Pisistratids and the Thirty.

From Machiavelli, Harrington, Richardson, Sydney, Locke, Tench, and Coxe, the Founding Fathers took four points: First, the most fundamental right of man is self-defense, which includes the right to arms for defense of self, home, family, and liberty; second, murder, rape, robbery and other "common crimes" are to be feared not only from apolitical criminals but from political ones (as Sydney described them, "a wicked Magistrate" and his "crew of Lewd Villains"); third, in extreme cases the individual right of self-defense includes a right of citizens to resist tyrants, which the founders called "revolution," meaning the returning of government to its original and proper course; and fourth, the existence of an armed populace will usually avert any need for revolution by deterring government and rulers from their inherent tendency to oppress.

Later events demonstrated that political crime is, indeed, far more dangerous than apolitical. In the 20th century, the world saw no more than five million murders. Not counting casualties in wars, however, over 170 million civilians died in genocides—often sponsored by their own government, as R.J. Rummel points out in *Death by Government*.

Second Amendment scholarship is dominated by the view that the amendment guarantees a right of individuals to arms. Even its opponents accept this as the "standard model." The "collective right" view, one of the opposing positions, is (as pithily described by one exponent) that the guarantee applies not to individuals but "to the whole people as body politic," in the sense that individuals cannot enforce this nonexistent right either for themselves or for the whole people. To call this a "right" is oxymoronic and violates Chief Justice Marshall's basic interpretive canon that "It cannot be presumed that any clause in the Constitution is intended to be without effect."

Of course, there are real constitutional rights that may be conceived of as collective—*e.g.*, freedom of assembly, equal protection of the law. Unlike the "collective right" concept of the Second Amendment, however, these are real rights, enforceable through suits filed by individuals on their own behalf and to vindicate the rights of the entire group.

Another attack on the standard model is the claim that the Second Amendment cannot have been meant to guarantee an individual right to arms because, during the Revolution, Tories were sometimes disarmed by the patriots. In itself, this does not refute the standard model. In the philosophical tradition, the right to arms had always been understood as inapplicable to trai-

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tors, criminals, and lunatics.

Moreover, this theory proves far too much. Tory newspapers and meetings also were suppressed. Tories were beaten, jailed, dispossessed of property, exiled, and even murdered. So if Revolutionary War history could nullify the individual right to arms, it could also nullify the rights of free expression, assembly, due process, and jury trial. Wartime excess is not a valid criterion for deducing the meaning of constitutional guarantees.

The most common attack on the standard model claims that what the Second Amendment guarantees is not a right of people to own arms but the right of the states to arm their militias. While not absurd on its face, this view is flatly irreconcilable with the language of the amendment and the Bill of Rights as a whole. The Second Amendment guarantees a right "of the people," not of the states. If the amendment did guarantee a right of the states, it would be unique. In no other provision of the Constitution is the term "right" employed to describe an attribute of government. Rather, government powers, whether state or federal, are invariably called "powers" or "authority."

The "right of the people," a phrase that appears throughout the Bill of Rights, always denotes rights of individuals against government. To accept the states'-right or collective-right theories, we must make the following assumptions about how Congress wrote the Bill of Rights (which it enacted as one document in 1789): The First Amendment's guarantee of "the right of the people peaceably to assemble" means exactly that—a right of the people. However, 16 words later in the Second Amendment, the same phrase means a right of the states (or a meaningless "collective right"); then, 26 words later, the Fourth Amendment uses the same phrase to mean an individual right, which is how it is also used in the Ninth Amendment, while the Tenth Amendment uses "powers" to describe the prerogatives of the states.

The amendment misleads modern readers by starting out "A well regulated Militia, being necessary to the security of a free State . . . " In the 18th century, *militia* did not mean "army" or "soldiers." The colonial militia laws required almost all adults (including women) to have ready access to guns. In addition, all respectable males of military age (basically 18 to 45, depending on the colony) had to bring their own guns when called out for militia training or service. Every household had to have guns even if its residents included only women or males not subject to militia service. In short, by guaranteeing individuals the right to own guns, the amendment also guaranteed the materiel of the militia.

The Second Amendment's militia preamble can in no way narrow the effect of the main clause, the guarantee to *individuals* of the right to arms. It is an established canon for construing legislation that a narrow preamble does not limit a broad rights clause. Contemporary state constitutional rights clauses often contained specific, narrow preambles, but these have never been viewed as limiting their broader rights clauses. For instance, free-press guarantees were introduced with declarations that, excepting an abusive press, a free press is vital to a free state. If such introductions were deemed to limit the right, they might not protect Marxist publications on the ground that advocacy of forcible replacement of the government by a dictatorship of the proletariat is an abuse rather than something that preserves a free state. Of course, regardless of their introductory clauses, state as well as federal guarantees of free press do extend to Marxist books.

The very idea of the Second Amendment as a right of states rather than of individuals is an artifact of the 20th-century gun-control debate. The point is not that the founders rejected the idea of the amendment as guarantee of a right of the states but that such an idea never occurred to them. The very concept was unknown in the 18th and 19th centuries. As William Van Alstyne, one of the great figures in modern American constitutional law, has noted in the *Duke Law Journal* (1994):

> If anyone entertained [that idea] in the period during which the Constitution and Bill of Rights were debated and ratified, it remains one of the most closely guarded secrets of the eighteenth century, for no known writing surviving from the period between 1787 and 1791 states [that idea].

Anti-federalists objected that the Constitution gave the federal government too much power, including power over the militia. They were well aware, however, that the Second Amendment did not affect this and complained that "the absolute command vested by [Article I, Section 8 of the Constitution] in Congress over the militia, are [*sic*] not in the least abridged by this amendment." The Antifederalists were not objecting to the amendment's guarantee of the individual right to arms, nor were they denying that this is what it is. Because the Second Amendment did not deal with their militia concerns, however, they unsuccessfully proposed different constitutional amendments to do just that.

The states'-right view remained unknown for more than 100 years. A 183-page article by David B. Kopel examining every 19th-century discussion finds not even one description of the Second Amendment as guaranteeing a right of states. The standard model "was held by [the 19th century's great commentator Judge Cooley and] every other scholar in the period who discussed the issue" ("The Second Amendment in the Nineteenth Century," *BYU Law Review*, 1998).

In contrast to the complete dearth of evidence for the states'-right view, numerous examples from legislative history support the standard model. Roughly 40 pages of an article I wrote for the *Michigan Law Review* ("Handgun Prohibition and the Original Meaning of the Second Amendment") are devoted to detailing example after example. For instance, when Madison first proposed the Bill of Rights, the idea of adding them to the end of the Constitution had not yet been conceived. He wanted to interlineate them into the sections to which they related. Madison intended to insert the First, Second, Fourth, and other amendments that guarantee individual rights into Article III, which contains the original Constitution's few individual-rights guarantees (the right to a jury trial; a ban on *ex post facto* laws). Madison's scheme also called for the Tenth Amendment, dealing with state powers, to go into a new Article VII.

The only significant Supreme Court consideration of the Second Amendment is *United States* v. *Miller* (1939). The Court held that an indictment should not have been dismissed on the blanket theory that a prohibitory federal tax and registration requirement for sawed-off shotguns *ipso facto* violated the Second Amendment. Neither of the indicted defendants was, or claimed to be, a member of the militia or of any military group. Nor did the Court suggest the defendants needed to claim such a status to challenge the statute under the amendment. Instead, *Miller* held that the validity of a law regulating sawed-off shotguns depends on whether such guns are the kind

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of firearms that the Second Amendment protects individuals in possessing.

Dealing with the challenge on its own merits, the Court held that only possession of military-type and/or militarily useful weapons is protected by the amendment, based on the amendment's reference to a militia (which the Court expressly recognized included virtually the whole male population). Having fixed on this military-weapon standard, the Court reversed the dismissal of the indictment because the defendants had not even made an attempt to show that a sawed-off shotgun is a military weapon. For equally obvious reasons, in abeyance of such a showing, the Court was not in a position to determine whether a sawed-off shotgun is a military weapon.

Significantly, *Miller* reflected an individual-right view of the Second Amendment, even though such a view was not argued to the Court: The matter went up from the trial court on the government's appeal; by the time it was briefed, one of the defendants had died and the other apparently did not engage counsel. The only brief filed was the government's. The states'-right collective-right theory was presented to the Court in the brief for the United States. Yet the Court did not adopt or even mention it, despite the lack of any counterargument.

The Supreme Court's brief pronouncements on the Second Amendment in over 35 cases to date have never accepted the states'-right or collective-right view. In listing the personal rights that the Bill of Rights protects against government, the Supreme Court has repeatedly cited the Second Amendment.

The earliest reference appeared in *Dred Scott*, where Chief Justice Roger Taney emphasized that, if blacks could be considered citizens, they would enjoy all the rights of citizenship. These rights include "the full liberty of speech . . . and [the right] to keep and carry arms wherever they went." Later, Taney illustrated the rights of citizenship by listing the right to arms along with freedom of speech and assembly, jury trial, and the right against self-incrimination. Compare the Court's two latest cases briefly mentioning the Second Amendment: *United States* v. *Verdugo-Urquidez* (1990) suggests the phrase "the right of the people" is to be construed *in pari materia* in the First, Second, and Fourth Amendments and in other parts of the Constitution where it always refers to rights of individuals against government; and in *Muscarello* v. *United States* (1998), both the majority and dissenting opinions invoke the phrase "bear arms" to describe a situation in which an individual "carries" a firearm.

In the gun-control debate, contentious fanaticism often trumps intellectual honesty and even common sense. That is particularly true of arguments over the Second Amendment. The arguments opposing the standard model run the gamut from the specious to the ludicrous to the mendacious. On the other side, I have often—but always vainly!—emphasized that the Amendment does not read "There shall be no gun laws of which the gun lobby disapproves." No less than other constitutional rights, the right to arms is subject to numerous qualifications and exceptions. In the last ten pages of my 1983 *Michigan Law Review* article, I outlined controls that I deem constitutional, though unwelcome to the gun lobby. Their riposte was to denounce me as a purveyor of "Orwellian Newspeak." That is because I wrote that, while responsible law-abiding adults are guaranteed freedom of choice to possess firearms, gun controls are valid, so long as they do not substantially burden or infringe that freedom of choice.

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T.V. Offensive—Iraq War

(A Picture of an Anchorette)

by Andrew Huntley

Down from your swivel throne you front your glass,
And, yes, those earrings with the necklace worked:
The stuffy brigadier (retired) had perked,
Thrusting his expertise—almost a pass!
You turn, look back, review your tailored arse—
A pity you can't stand and swirl: it irked
To watch the stupid weather-girl who smirked,
Legging the isobars (that nightly farce).
Meanwhile men die; but should *you* dye again?
Was it the Shi'ite fighting? was it Sunni?—
Your brightness lightened up that live attack:
O, cool, seducing face, blinding to pain—
Your heartless, cursèd means to make your money;
Honey, you would be cleaner on your back.

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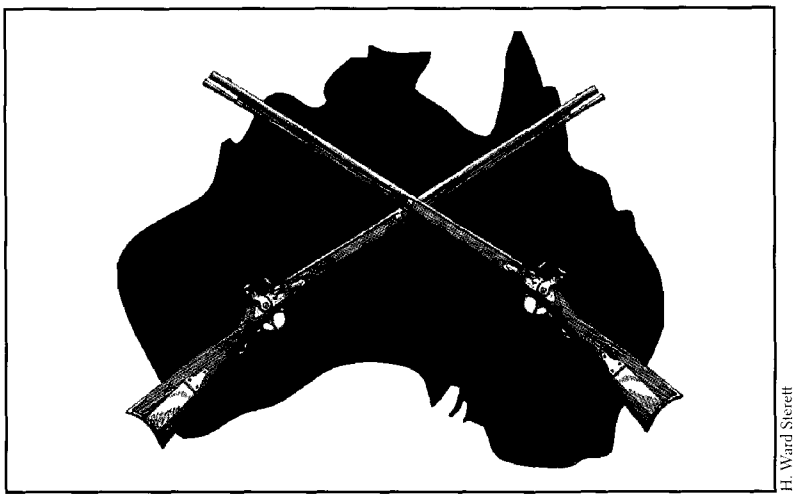
Who Needs Guns?

Lessons From Down Under

by David B. Kopel



H. Ward Sterett

Australia has something under 20 million people living on a continent as large as the continental United States. It is known as a place where an overseas visitor might, in some regions at least, find a frontier atmosphere. There has been good historical reason for that. Australia has an Outback, unique wildlife, and a legendary spirit of independence. Its soldiers, for instance, knew the meaning of a command to fix bayonets, and they acquitted themselves well in those conflicts where they stood beside Americans. The commissioned English officers notoriously did not like the Australians, though, because of Australian disdain for authority. Australian soldiers did not fall in behind bad leaders, and, under pressure, they tended to make their own decisions. It was nevertheless always conceded that Australians displayed great courage and that they did follow leaders who valued equality and fairness. With a state-oriented system of decentralized government and a long historical record as a haven for refugees from unfree countries, Australia has prided herself on tolerance. Now, however, the federal government has begun a war on civil liberty, aimed at destroying the nation's long-established gun culture.

> We had to stand in lines. These were up to maybe a couple of hundred yards long in the bigger towns. On a Saturday afternoon during the buy-back time, I'd drive home after running an errand in the city, and I'd see the line yet again, over and over. When the weather was good, it was longer. Blokes would be standing there with their guns wrapped up in newspaper and old blankets, talking quietly and shuffling forward.

These are the words of an Australian who wished to remain anonymous. He is describing what happened when the Australian government, on pain of imprisonment, made him hand in his registered .22 rimfire rifle so that it could be destroyed. After a multiple shooting in Tasmania, in April 1996, in which 32 people were killed by a madman using a self-loading rifle with a military appearance, the federal government, under newly elected Prime Minister John Howard, enacted laws banning all self-loading rifles and shotguns. All pump-action shotguns were also confiscated. (Pump-action guns were also confiscated in Germany in 2002, and the "Million" Mom March favors similar confiscation in the United States.)

The firearms being surrendered in Australia were not the property of criminals. The guns were plainly sporting arms that had always been legal.

> They put up tents. Inside the tents there were especially-trained officers. They'd been told they needed to be watchful and keep order in case any of the people became unruly. So they stood around and looked stern while we all filed past. One tried to make polite conversation with me, but I felt sick. I said, "Nothing personal, mate, but I'm in no mood to talk to you. Just leave me alone." And at least he had enough sense to do that.

The so-called "buyback" was, of course, not a buyback of anything. The government did not own the guns in the first place. The guns were not for sale, either. They were brought to the confiscation centers under pain of imprisonment. The "buyback" euphemism was akin to calling armed robbery "in-

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David B. Kopel is author of The Samurai, the Mountie, and the Cowboy: Should America Adopt the Gun Controls of Other Democracies? *which was named Book of the Year by the American Society of Criminology, Division of International Criminology.*

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come redistribution."

In all of Australia, state by state, not one single outburst of civil disobedience was recorded. (In Canada, 25,000 supporters of the Law-abiding Unregistered Firearms Association (*www.lufa.ca*) are refusing to register their sporting rifles and shotguns.)

Australian guns had been registered in the state of Western Australia since the 1930's, but most states imposed long-gun registration only in the last two decades. Civil-liberties activists who raised concerns that registration lists could be used for confiscation were labeled as paranoid extremists.

> Many government officials and their allies in the gun-prohibition lobbies believe that no one who does not work for the government has a "need" to own a gun.

By the time that gun confiscations began, the authorities mostly knew who officially owned what. In such states as Queensland, where there had previously been no registration, it was brought in contemporaneously with the confiscations. The registration laws are now being used as the foundation for onerous restrictions on the remaining legal gun owners. As in the United Kingdom, harsh and unreasonable burdens are used in order to pressure people to give up shooting sports.

> I'll never forget it till the day I die. I was brought up not on a farm, but with access to several guns, and I was trained in gun safety from ten years old. The .22 rifle belonged to my father. It wasn't an expensive model, just a little Browning takedown that took seven rounds in a magazine up through the stock. But as a boy I was trained to shoot with a single shot rifle, and when I was allowed to graduate to that little semi-auto, it was a big day in my life. My father was the one who made that decision. He always used to say that repeating rifles needed a bit more maturity than single shots.
>
> After I was allowed to, I used to break it down, wrap it up and ride a bicycle to wherever the rabbits were thickest. There were times in my early life when my family was damn grateful for those rabbits. We ate a lot of rabbit stew.
>
> I taught my son to shoot with that rifle. It was a part of our family. One day the government declared me to be a public menace because I owned it. Imagine having a father criminal enough to leave a Browning .22 to his son, eh?

The move against guns in Australia had long been prepared. The legislation had been written in advance. After the garish publicity surrounding the multiple murder in Tasmania, the government did not expect much resistance.

Nor did it get much. Six hundred and forty thousand legally owned guns were surrendered, and the exercise, including government compensation money, cost over 500 million Australian dollars, which were raised through a significant nationwide tax increase. Ownership of any gun for self-defense was prohibited.

How could people with such a history of independence suffer their guns and their right to protect their families to be taken forcibly from them?

The media in Australia are heavily dominated by a few names, and the policies of the outlets have been heavily anti-gun for years. That the Rupert Murdoch media outlets in the United States (such as the *New York Post* and Fox News) are relatively more "pro-gun" than their counterparts is more a testament to adroit marketing than to ideological conviction on the part of Murdoch. Australian media standards of fairness and accuracy are considerably below those of most U.S. media. When Bob Corbin, president of America's National Rifle Association, toured Australia a few years ago, some media publicized claims that Corbin was smuggling huge quantities of guns into the country.

Significantly, despite Australia's vast open spaces, the country's population is now over 85 percent urban, which is about the same as Japan's. And the country's ecology has not lent itself to a rich tradition of hunting like that of North America. Hunting of native quarry in Australia has increasingly come to mean duck hunting in one or two states where the water is good enough to allow it, but even this has been attacked by the "dark Greens" (that is, the especially militant, irrational, and intolerant Greens).

Over the years, many nonnative animals, such as rabbits, foxes, and goats, have been introduced into Australia, but the media have encouraged the public to believe that only specially qualified shooters should be involved in culling these pests.

Historically, Australia has been the land of the rabbit. It follows that it was also the land of the rimfire rifle, and, sadly, it therefore follows that rimfire rifles and popular hunting shotguns were the firearms the government took.

Most crime occurs in the large capitals of the various states. It has continued unabated, and the usual suspicions of gangs, drugs, and illegal guns all ensured rich pickings for the media—so much so, in fact, that, in 2003, John Howard's government has come back for a further round of confiscations, this time taking hundreds of models of handguns, which have been tightly controlled since the 1930's.

To own a handgun, a citizen must endure many months probation with an accredited target-shooting club before being allowed to apply with the police for a licence to possess a registered handgun. Licensees must attend a given number of competition shoots annually or monthly. All handguns over a certain caliber (.38) and barrel length (100mm for revolvers, 120mm for semiautomatics) are weapons prohibited to almost everyone, and, of course, the only people surrendering them are those who have already gone through the licensing procedures.

For handguns that remain legal, highly burdensome "safe storage" requirements, including monitored alarm systems, are required. The restrictions even apply to antique pistols made before 1900, for which no ammunition currently exists. Obviously, the purpose of the new oppressions is not public safety, for there is no problem today involving criminals using stolen 1851-model revolvers to rob banks. Even modern, lawfully owned handguns are almost never used in crime; in 2001 and 2002, for example, only one registered handgun was used in a

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homicide.

Public safety may be the pretext for more gun laws, but, in fact, the persecution of gun owners is seen as a good in itself, with the objective of forcing people to give up their guns. That is why the government is even "buying back" handguns not covered by the current surrender program, in order to encourage target shooters to give up their sport.

Observing what Australian politicians say about guns is instructive. Mark Latham is an Australian Labor Party luminary whose portfolio includes community security. In a May 21, 2003, interview, he said:

> I think it's totally undesirable to have firearms in our suburban homes. . . . [L]et's face the basic statistics, that when there's domestic violence and there's [an argument] in the house then too often these guns can be used and often they're a source of homicide so we're going to be a much safer society the fewer guns we've got.

The government of Australia funds a great deal of junk science to promote the "statistics" congenial to gun prohibitionists, "proving" that law-abiding gun owners are a menace to society.

On June 4, 2003, Prime Minister Howard told a radio program:

> The experience in Australia on the statistical evidence available in the past six years is that the homicide rate from gun use has fallen since the gun laws were brought in, in May of 1996. Now that's the Australian experience. I don't answer for the experience of other countries. . . . There has been a measured improvement. It's not huge. But there has been a measured improvement.

There has been, of course, *no improvement* in the actual murder rate in Australia since the 1996 gun bans. It has become a common trick in gun-banning countries to bring all deaths by shooting, including suicide, into a subset of their own and then to claim that "gun deaths" are declining after the passage of legislation. The Australian murder rate has not dropped, and neither has the suicide rate. People continue to kill themselves and one another, but the fact that fewer guns are involved in these deaths is supposedly a great triumph of public policy. Prime Minister Howard has stopped claiming that his gun laws actually saved lives. While the media have very carefully examined the government's justifications for Australia participation in Gulf War II, Howard is being given a free pass for his sleight of hand on the benefits of gun confiscation.

Billions of dollars have been thrown away on gun registration in Commonwealth nations, when there is no evidence that it has saved a single life. Well over a billion dollars has been spent in Canada alone, with much more still to come. The Canadian government had promised that the cost would be two million dollars. Gun registration has demonstrably failed to bring down crime rates in Australia. New Zealand, temperamentally and ideologically not dissimilar to Australia, repealed gun registration in 1983 at the request of the police because it was both ineffective and a waste of police time, but the gun-prohibition movement and its government allies now appear poised to impose it again.

Why? A letter written by the police minister of New Zealand, George Hawkins, on June 17, 2003, offers an explanation:

> I . . . intend to proceed with some form of firearm registration by means of new legislation to be introduced this year. There has also been work undertaken by the United Nations on developing common principles for combating the illicit manufacturing of and trafficking in firearms, their parts, components and ammunition in a transnational context. If New Zealand is to be a party to this type of multilateral undertaking, then there will need to be amendments to the Arms Act of 1983.

Actually, there is no U.N. treaty or any other document that requires countries to register guns, although some U.N. officials are promoting registration schemes. Indeed, the United States (where only a minority of states register handguns and hardly any register long guns) has the strongest legal system, which meets and exceeds all U.N. requirements to prevent international arms smuggling. Even so, it is very convenient for politicians to have supposed U.N. requirements to fall back on.

There has been, of course, *no improvement* in the actual murder rate in Australia since the 1996 gun bans. The murder rate has not dropped, and neither has the suicide rate.

Today, in most Australian states, the remaining 700,000 licensed firearm owners are treated as a social underclass. The ecological value of lawful hunting is continually disparaged, and authoritarian means are constantly employed to take firearms from people. Gun-prohibition advocates are proposing that a citizen must prove "genuine need" in order to own a gun. A similar requirement is being pushed in Belgium, and Mrs. Sarah Brady has declared need-based licensing to be her long-term objective in the United States. In the United Kingdom, a similar standard ("good reason") has been used by the police to reduce lawful gun-owning households to a pitiful four percent of the population. Many government officials and their allies in the gun-prohibition lobbies believe that no one who does not work for the government has a "need" to own a gun, except, perhaps, for some farmers and a few hunters, who might be tolerated for a while longer. The authorities, of course, are there to determine just what constitutes this kind of need, and Australians are finding out that, increasingly, whatever "need" is, they do not possess it.

> More and more gun owners who never broke a law in their life are saying they wished they'd never registered their guns. Most will admit to knowing someone who has one that's off the books. Most will say they wish they had one, too. Probably a lot of the time they mean they already do have, but they don't like to say.

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Staying Alive

A Woman's Prerogative

by Paxton Quigley

Smith and Wesson 32 caliber revolver, "for the house and pocket." *Century Magazine*

If you are a woman and you worry about your safety, you are not alone. A recent Gallup poll reported that six of ten women in America are afraid to walk in their own neighborhoods or go out alone at night. For these women, the feeling of an ever-present threat of violence effectively denies them the basic guarantees of life and liberty. And the feeling is more than a perception. It is based on a strong dose of reality, not just what naysayers would call a neurotic obsession with danger. Many women in America really are at constant risk. They are victims of society's disquieting inability to protect women from violence inside or outside their own homes.

The female fear factor is doubly destructive because it makes women victims not only of their attackers but of their own fear. Ironically, most women are just too afraid to take responsibility and prepare themselves against a possible life-threatening situation. They shrink from learning how to protect themselves, even when they are given the chance. Over the years, I have spoken about self-defense gun training with no end of women who rejected it with a variety of lame excuses. These excuses often echoed the messages of such influential organizations as the American Public Health Association, the American Academy of Pediatrics, the Harvard School of Public Health, the Centers for Disease Control and Prevention, and the American Medical Association. Well meaning as these groups may be, they issue skewed, half-digested statistics that twist the facts and increase the chances of female victimization. Sadly, the messages from these prominent groups are all-too-often accepted by the media and the unsuspecting as gospel.

I have seen the problem from a different perspective. I have been in the unique position of teaching nearly 8,000 women over some ten years in more than 20 states how to shoot a handgun for self-defense. As a result, I have had a chance to witness powerful attitude changes in most of these newly trained women. Whether they are 20 or 50 years old, they usually come to my seminars with enormous trepidation, a sense that guns are somehow evil, a tool of the Devil. I always applaud them for breaking through a gigantic mental barrier to learn how to use a piece of equipment—that is all a gun is—that has long been an instrument of power.

When a woman first grips a loaded gun, her palms sweat, and her heart races. When she fires that first shot into a paper target, her "startle reflex" is activated by the gun's blast and its "kick." After firing round after round, though, she realizes that she controls the tool—the weapon does not control her. She is in charge, and, for some, it is for the first time in their lives. A few women are so excited that they hoot and yell, "You go, girl. Don't mess with us!"

That is what the 50 women at Mount Holyoke College, an Ivy League women's institution, pronounced implicitly when they started the first college chapter of the Second Amendment Sisters, a national pro-gun women's organization, in March 2002. The group motivated impassioned exchanges in the student newspaper and on e-mail chat groups. "You can't achieve power by using guns," exclaimed Jean Grossholtz, an emeritus professor at the college and chairman of the women's studies program. "When women can take their rightful place in the world as who they are, not as little make-believe men, that's women's liberation." The presence of the Second Amendment Sisters caused the college president, Beverly Daniel Tatum, to issue a special statement reassuring alumnae that members of the women's group do not carry guns on campus. That, of course, would violate state law.

The Sisters attracted considerable national media attention. *New York Times* columnist Nicholas Kristof grumbled that college girls were now shooting guns and blamed it on the Sep-

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Paxton Quigley is the author of Armed & Female *and* Not An Easy Target.

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tember 11 attacks, rather than admitting that women have every right to arm themselves just like men. Although he himself had been brought up with guns in Oregon and was "comfortable" with them, his comfort level apparently did not extend to women. He insinuated that more people would be killed if women were armed. What he did not say was that those killed might be burglars and rapists rather than innocent women. Since September 11, there has been a 25 percent surge in gun sales, and women have accounted for roughly 60 percent of the increase.

Lt. Margot Hill, commander of the Boston police department's domestic-violence unit, said she was not surprised to hear that more women seemed to be interested in having a gun for protection after September 11. "It was a wake-up call to everyone. People felt that the government couldn't protect them."

Most of these women are not politically motivated but propelled by the most basic of female instincts: the urge to protect their own. After years of just being scared, women are doing something about it. Women living alone, working late, or rearing children are beginning to look at guns in a new light. They are getting over the blind fear of guns and the media's wholesale demonization of gun owners. Despite the naysayers, skepticism, and scorn, women are also seeing that there may be more than a little truth to the maxim that it is not the gun itself but the person holding it who matters—who controls how the gun is used or misused.

With the specter of suicide bombers in our midst—no longer just a remote fantasy—women may actually be able to play a role in American homeland defense. Crazy, you say? Hardly. In Israel, where the government has issued some 60,000 gun permits so ordinary citizens can help stop attackers who try to set off bombs, an Israeli housewife just a few months ago saved countless lives when she shot dead a terrorist about to detonate a bomb in an Efrat supermarket. How many innocent men, women, and children would have died if this woman had not been trained to use a gun?

Most of the time, however, it is not homeland defense but home defense that concerns the average woman. And, if trained properly, the average woman can be a redoubtable defender of her home. Jeanine, a St. Louis mother of two young sons, had to confront an intruder alone at 4 A.M. while her husband was away on business. When awakened by a noise, Jeanine got out of bed to investigate and found a man sitting on the roof of her patio storage cabinet. "I realized immediately," recalled Jeanine, "that he was under the influence of drugs by his incoherent mumbling, glassy eyes and bizarre behavior." She ordered him to leave, told him she was calling the police, and then slammed and locked the patio door. She yelled to her kids to lock their bedroom door and then went directly to her bedroom and called the police; a dispatcher assured her a patrol car was on the way. Aware of the drugged condition of the tall, muscular man, the petite Jeanine proceeded to arm herself. Just as she finished loading her gun, she heard a crash as the intruder forced open the patio door and entered the living room. The police were on the way, but the situation called for immediate action. Gun in hand, Jeanine moved down the hall toward the living room.

"I knew I was violating the training doctrine which says to stay put, take up a defensive position, and let the intruder come to you," said Jeanine. "But I felt compelled to put as much distance between the danger and my kids as I could. I didn't know what was about to happen, but I wanted it to be as far away from them as it could be."

Entering the living room, she faced the man at close range. "I knew instantly he was already too close! I knew that if I had to fire, it would be necessary to shoot him in the head to be sure of stopping him." She chambered the first round in her pistol and flicked the safety off. Her finger found the trigger and she leveled the sights right between the man's eyes.

Jeanine did not say a word; her actions spoke for themselves and spoke with great conviction and persuasion. The man looked at her and at the pistol pointed at his head. "Oh sh-t!" he exclaimed. Turning, he fled through the door he had forced open, vaulted over a six-foot-high patio wall, and raced away. This potentially lethal confrontation came to a happy conclusion. No shots were fired; no one was killed or wounded; and the man was arrested a short while later.

I asked Jeanine how she managed to do everything right in the face of such danger, even terror. "It seems like I was on automatic pilot," she said. "I knew what to do. In time of emergency you seem to do what you are trained to do without thinking about it. I was never conscious of thinking about what I was doing or intended to do next—I just did it. I was prepared to defend my kids, prepared to shoot if necessary; he could not mistake my resolve. That made it his next move. Fortunately for both of us, he made the right choice—he turned and ran."

Of course, there is always a risk in owning a gun when you have children, just as there is a calculated danger in having sharp knives, cleaning fluids, a medicine chest, and even a swimming pool. Any sane, serious, responsible person must be very concerned about having a gun in the house. Tragic accidents do occur. However, such accidents are far more rare than antigun groups would like us to believe. The National Safety Council estimates that, in 1995, among children under five, accidental deaths from guns numbered 50. That's right: not 500 or 5,000, but 50. Among all children under age 15, the number was 200, and a majority of these were gang-related deaths. Meanwhile, in 1995, 2,900 children died in motor-vehicle crashes, 1,000 from fires and burns, 950 from drowning, and 220 from choking. Hundreds more died in bicycle accidents. They just don't make the six o'clock news.

Guns clearly deter criminals. Polls by the *Los Angeles Times*, Gallup, and Peter Hart Research Associates show that there are as few as 760,000, and as many as 3.6 million, defensive uses of guns each year. The defensive nature of guns is further revealed in the different rates of so-called "hot burglaries," those where a victim is at home—and, more often than not, the victim is female—when a burglar strikes. In Canada and Britain, which both have very restrictive gun-control laws, almost half of all burglaries are "hot." In America, where half of all households have guns, only 13 percent are "hot." Criminals do not behave differently simply by chance. U.S. felons admit in surveys that, when committing crimes, they are much more worried about encountering an armed homeowner than encountering the police.

I will never forget a Sunday when three sisters—a preteen and two teenagers—were on the shooting line having the time of their lives. And who was the best shot? The youngest, who was 11 years old! Moreover, she was a better shooter than any of the adults on the line that day. When I asked her how she felt, she replied, "This is very cool."

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Some Things You Have to Face Alone

by J. Rodham Tate

"Always do what you are afraid to do."

—Anonymous

Living History
by Hillary Rodham Clinton
New York: Simon and Schuster;
562 pp., $28.00

◆

Fall 2000 already seems like a long time ago, and it actually is. Perhaps I remember in a haze of nostalgia for that period, a brief entertainment of hope for the American polity, one which was soon snuffed in a blizzard of dimpled chads and a lot of votes for Al Gore, who talked as if he were teaching a remedial class. Since then, things have changed, and I now know not only a lot more about Arab newspapers and Islamic sects than I ever wished, but even more about the *hauteur* of William Kristol and the blustering of Charles Krauthammer.

However, like a narrator in an old flick with a flashback/voice-over, or like the Ancient Mariner mugging the wedding guest, I have to insist that there was life before the 2000 election, and it was pretty bad, too, even though a lot of people made a lot of money without doing anything to earn it. That was called "prosperity" by some and "a Ponzi scheme" by others. That's right: Repression is hard to surrender because it's so painful to give up, but here we go. I remember the first Iraq war and the disastrous election of 1992 and the consequent appearance of the Clinton Cabinet, which I noted because it was obvious and also because Bill Clinton said that he wanted a cabinet that looked like America. If you ask me, however, I thought his Cabinet looked more like Charles Krauthammer.

H. Ward Sterett

A cool 43 percent of the vote had handed the White House to Bill Clinton, and this was supposed to be some kind of political coup, and it was—a coup in reverse. The ineptitude of the campaign of Bush I and the shrewd, spoiling spitefulness of Ross Perot had worked the wonder for which the Democrats claimed credit. Since the whole thing was a TV show, however, it looked better on *Saturday Night Live* than it did on the news. And then the capons came home to roost—this is the part that gets repressed. Remember Joycelyn Elders, Janet Reno, the sub-Cabinet level or just sublevel Roberta Achtenberg, and all the rest of them, and Whitewatergate, Troopergate, Nannygate, Filegate, and Travelgate besides? No question about it, they bring back a lot of misty, watercolored memories of the way we were.

Was it all so simple then, or has time rewritten every line? If we had to do it all again, would we? Could we? I guess I was thinking about the cruise-missile attacks on Afghanistan and Sudan—attacks that were supposed to intimidate the U.S. Congress as it contemplated impeachment—and I started to get *verklempt* like Bill Clinton at a Barbra Streisand concert. I knew I was going to need at least a box of Kleenex to get through what I had to get through, because there was Hillary Rodham Clinton's new book vacuuming all the being out of my immediate environs. I checked my supplies: Kleenex, leftover potato chips, leftover pizza, a half-consumed room-temp candy bar, and two cold beers. I was ready. I got to the beginning—the thing was configured as a "book"—and said, *All right, Miz Rodham-Clinton. Show me what you got.*

I suppose I looked at her book as a book, and that was my second mistake, my first having been to look at it at all. Then I made another unconscious assumption: that her book might have some autobiographical elements of reflection, which was mistake number three. Dim memories of the confessional tradition (Saint Augustine and the pear tree, his repudiation of sins and paganism) led me to expect that Senatrix Rodham Clinton might have learned something at her age, and maybe she did. I saw no note of recantation, however. Neither the book nor its purported authoress was going to change, so maybe I had to.

You know, stale potato chips are not as bad as they are made out to be. They are still salty and greasy, even if they are stale. Here is a helpful household hint: Close the bag with one of those doohickeys or a clothespin if you have no doohickey, and those chips will not get so

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stale. And by the way, I check out the new chips sometimes, but I always come back to Lay's Classics. Well, that was refreshing, even if it was not crisp. I used a Kleenex to wipe my fingers clean and got ready to go again. I did not want to get any smears on the dust jacket or anything, because I am by nature a sensitive, even delicate, fastidious person, and also because I wanted to sell the thing as soon as I could get rid of it.

Before I forged an autograph to max out the asking price, however, I certainly wanted to check up on and check out the former Miss Rodham's success in the futures market. Years ago, she claimed that it was work and research that steered her to a 10,000 percent profit in one year—not corrupt advantages that came her way as the bizarre little wifey of the goofy governor of Arkansas. Yet, but, however, nevertheless, even so, and on the other hand, in her memoir, in startling contrast, she makes exactly the same claim. She neither tells how it was done nor does she reveal any insider hanky-panky. The complete failure of the gnostic universal healthcare plan of 1,342 pages is dismissed by the scribbleress as an action of virtue: "We were trying to move too quickly on a bill that would fundamentally alter American social and economic policy for years to come." In short, this tell-nothing strategy within a tell-all rhetoric is more than a bit undramatic—it is downright stupefying. Basically, all anecdotes recur to the theme of the preternatural wonderfulness of the pseudonarrator who signed off on the book that was written by a committee and leave the reader in a semantic Dead Zone. The only question, then, is: What could this cybertext possibly signify?

Now let me tell you something. Some people say leftover pizza is no good, and they are just wrong. It is OK cold, right out of the fridge, but you can always zap it or toast it, if you want. DiGiorno is quite good, but Freschetta Supreme is my favorite—it is the square one with a thin crust, and it is just loaded with goodies. Of course, if you eat it with your fingers as I did, then you will need to wipe your fingers, too. Always remember your good manners and personal hygiene, even if you are alone and no one is watching! I always do, and you take my word on that. After all, I am regarded by many as a "role model," as they say, in the area of personal deportment, honesty, and all-around good taste. But I know what you're thinking. "What about Monica? Come on and get to the Monica part," and all that sort of thing. As Miz Hillarity used to say, "Okey-dokey, artichokey!" That Rodham wit and spontaneity really gets me.

Mrs. Clinton seems to have indicated that the Lewinsky bimbroglio and all the embarrassment about "the portly pepper pot" came as a complete shock to her because her husband had never lied to her, the Gennifer Flowers thing and the Paula Corbin Jones lawsuit to the contrary notwithstanding. She has described the gross fornication of her porcine husband as "an inappropriate intimacy," and, if such Orwellian language is even remotely truthful, then "victim" may be a substitute for "enabler," as well. She also claims to have decided to remain in her marriage in part because of political considerations—she had to be loyal to her President. She does not note that Bill Clinton told his Cabinet that his lies, and the lies he had maneuvered them into telling on his behalf, were justified because they were designed to protect his political position—the power of his presidency. She has in effect agreed with this remarkable reasoning, even in hindsight. Such thinking would bring us to the heart of her book, if her book could be said to have one.

All this made me want something—anything—substantial. I used to like Snickers bars, but, I must say, they are a bit on the heavy side. I was so pleased when they obligingly brought out the new Snickers Cruncher in the yellow wrapper. With crisp rice and peanuts, it is crunchy all right, and lighter than the original Snickers. Try one, and check out the nutrition facts—you might be pleasantly surprised. Another Kleenex, and back to the salt mines of Venus or whatever planet Old Hillarious is from.

There seems actually to have been a method to all the madness. First of all, the form of a memoir lends some semblance of logic to Mrs. Senator Clinton's self-absorption, which is the ostensible subject of her book. We might say that her narcissism has been given an epic treatment, which works something like this: First, she tells us of her commitment to the progressive political agenda at an early age, so that later, she can analeptically refer to her "lifelong commitment" to children's issues, women's rights, and so on. And then, because she and Bill were so attuned to progressive values, it makes sense that his betrayals were trivial compared to the grand cause of the global agenda. I was reminded sometimes of Homeric epithets and Miltonic allusions, what with all the formulaic repetitions, until I realized that I was making mistake number four: I was thinking. *Living History* should not provoke thought but elicit sentiment about the passions of Hillary and what she has suffered for us in order to bring us universal healthcare and many other blessings that have not materialized. But wait, the story is not over. "Don't Stop Thinking About Tomorrow," intoned Hillary and Tipper—just lighthearted young chicks, or middle-aged bottle-blonde phonies—as they shook their peroxide locks in 1992. Perhaps the meaning of the Rodhamiad lies in the murky future, in some proleptic, clarifying vision of a great destiny, or even paradise regained. But then there is another and more appropriate epic analogue that spammed or blogged my screen: that of the "democratic epic" of Walt Whitman. I was scanning a "Song of Herself," a cosmic exercise of fanciful egomania, that identified the speaker with a vacuous deity.

What with all the sodium and the nonbeing, I was starting to get thirsty. I figured an Amstel Light had to be the answer, and it was. Amstel Lights are OK—actually, they are better than that. They taste almost as good as Heinekens but with fewer calories. Check one out, if you have not already done so. I endorse, but am not on a retainer for, nor have I signed any written agreement that has yet been identified with, Amstel Light.

There was another formula I thought I perceived in *Living Herstory*, if I could make out anything in the glare of all the boilerplate. Miseries Clinton has devoted many pages to outlining her "intimate" relations with famous people—certain individuals who have recognized her as their coeval. Jacqueline Bouvier Kennedy Onassis is one of these, and there are many others. She goes so far as to indicate that Nelson Mandela gave her a personal example of forgiveness in his attitude to his former captors, which helped her to relate similarly to Republicans. She acknowledges that she did indeed "channel" Eleanor Roosevelt, who was perhaps a Virgil to her Dante, and I can relate to that. I talk a lot with Stephen Decatur, myself. He really likes me.

No more than Emerson or Whitman does ex-co-president Rodton Clintham acknowledge problems of self-contradiction. This hobgoblin of small minds does

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not faze her. Does she contradict herself? Very well, she contradicts herself—she is large, she contains multitudes. Her blindness is insight, as when Jiang Zemin, president of China, instructs her on the situation in Tibet: "They were victims of religion. They are now freed from feudalism." Our inspired narrator would no sooner recognize such an exact iteration of her own political philosophy than she would pass over a chance for declaiming, "Christmas is always a big event in the Clinton family." Hers is not a voice that can be silenced by traditional sex roles, if sex roles have anything to do with logic. With tautological aplomb, Mrs. Clinton insisted in China that women's rights are human rights and that female infants should not have their spines broken. Since such a daring proposition rang oddly from the proponent of abortion on demand and of infanticide in the form of partial-birth abortion, I began to appreciate even more the Rodhamian pursuit of power. Her story that she found her way in prayer on her knees took on a rather Machiavellian cast. The cognitive dissonance was getting a bit oppressive, and that reminded me of something.

Beer in the early evening is always a big event in my household. If one Amstel Light is good, two are even better—twice as good, to be precise. And let me just mention that if you buy by the case in a discount warehouse, you can save quite a bit of money—money that you could then be sending to charities like the Children's Defense Fund, founded by Marian Wright Edelman, which Hillary Rodham Clinton has supported throughout her adult life. I swallowed some of that second Amstel the wrong way and had to use a trusty Kleenex again. That clarifying beverage had boosted me to understand that the Rodham/Clinton book could not be altogether decoded by traditional hermeneutical methods. It seemed that a little phenomenological analysis was in order, but, before I could get started, I had a phone call from Angelina Jolie, who just wanted to tell me that she is a big fan. I appreciated Angelina's support, but I had no time to schmooze with her, so she left her unlisted number. Some things you have to face all alone.

On my knees in prayer (as I do not mind confiding), I was beginning to see that *Her Lying Story* was not a book after all but a political ploy, a moneytree, and a strategic venture. Mrs. Clinton has signed so many autographs in bookstores that she had to seek medical assistance. Politically, the book's presence is complex. It means that the author has reminded everyone that the Democratic aspirants for the 2004 campaign are weak and that the possibility for a Clinton run next year is real, though she has denied it. The book means also that the Democratic nomination in 2008 is hers for the asking. There are other implications as well. The book covers her back; for this self-portrait of a scheming backroom politician in whose mouth oleomargarine will not dissolve is intended to allay all previous concerns about her dark side. Further, publishing so many unappealing pictures of herself as illustrations in a book may well have preemptively taken those pictures off the table. The financial profile is simple: *Living History* has already justified the advance of over eight million dollars, which helps to make up for the check for $400,000 that Hillie had to write at the end of the Jones case (the one that Bill did not lie to her about because it was a Republican plot). All in all, the Clintons together earned over $39 million last year, exclusive of fundraising efforts for HILLPAC, the Democratic powerbase. The public-relations or strategic aspect of this literary production extends even to such matters as hair-styles and pastel pants suits, as the authoress herself has noted. Looking less like a witch with a weight problem than usual and perkily giggling like Beverly Sills, she has managed to exploit an exploitation, her book having also been a pretext for various television appearances, most notably in a Baba Wawa Special. In that particular nonevent, our heroine declared that a "zone of privacy" extended to the topics that she herself had arranged to address in a massively subscribed broadcast. It was little enough about nothing, but no matter how piffling the puffery, there were, for the attuned, momentous vibrations.

Before trashing the White House on the way out the door, and, before Bill attempted to upstage George W. Bush's inauguration, Hillary Rodham Clinton was effective in 2000 as a carpetbag candidate for senator from New York. Because she knew nothing about the state, she organized a "Listening Tour" in order to finesse that issue. She ran not as a bold visionary but as a victim/celebrity, and, since then, she has laid low. *Living History* is a continuation of that successful posture, but just as the "'umble" Uriah Heep could not mask the meaning of his denials, Senator Clinton has not been able to suppress altogether the implications either of her vast ambitions or of her self-justifying mysticism. The muse had come upon me, not from what she calls "Hillaryland" but from some patriarchal Father Gander:

> Hillary, Billary,
> Bobbity Boo—
> Why must the *Zeitgeist*
> Look just like You?

My nostalgia trip had been eclipsed by thoughts of the future. Who is there on the horizon to stop Hillary Rodham Clintonista except Arnold Schwarzenegger? Hillary's self-appointed role as the embodiment of the *Zeitgeist* implies that she should be, that she is ordained to be, the president of the United States. The scariest part of that thought was not that she could become the chief executive, but that our country would choose, or even deserve, such a possibility.

But as darkness deepened over the Republic, I realized suddenly that the new hit show on the Bravo channel, *Episcopalian Eye for the Straight Guy*, was coming on. Always attuned to matters of faith, I decided I needed a makeover and some interior decorating tips a lot more than I did any more heartfelt revelations from Hillary Rodham Clinton. c

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An Interlocking Directorate

by John Chalberg

The New Anti-Catholicism: The Last Acceptable Prejudice
by Philip Jenkins
New York: Oxford University Press; 258 pp., $27.00

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Anti-Catholicism is far from new to America, but there certainly is a new anti-Catholicism *in* America. In the mid-19th century, anti-Catholic abolitionists, Know-Nothings, evangelicals, and Republicans railed against what the 1856 GOP platform derisively called the "twin relics of barbarism, slavery and polygamy." Today, anti-Catholic feminists, homosexuals, liberal Protestants, and Democrats hold fast to the twin relics of the sexual barbarism of the 1960's, abortion and homosexuality.

When it comes to anti-Catholicism in America, it sometimes does come down to sex, doesn't it? Back then, the fevered concern was illicit sex, whether on slave plantations, in Mormon enclaves, or in Catholic convents and confessionals. Today's anti-Catholics are disdainful of a Church that dares to declare their fevered sexploits to be sinful.

To be sure, anti-Catholicism was once grounded in serious doctrinal differences and driven by images of Catholics as ignorant drunks or un-American cultists. Once upon a time, anti-Catholicism reflected the ingrained mental makeup of an entire gallery of Americans, from John Winthrop to Eleanor Roosevelt. For his part, Philip Jenkins almost seems to be longing for the good old days when anti-Catholicism was confined to the pulpits and fever swamps of America or when it was simply hardwired to the worldview of the Protestant-American establishment.

It must be noted that Professor Jenkins is an ex-Roman Catholic and current Anglo-Catholic. He offers no explanation for his decision to leave the one for the other, even as he takes pains to assure his readers that he writes without a "vested interest in defending the Roman Catholic Church." Those pains have no doubt contributed to a finished product that is short on animosity toward the Church he left behind and long on sympathy for its current plight.

Jenkins seems bowled over by yet another "remarkable" example of anti-Catholicism at work. He is especially astonished that the Catholic Church is "virtually the only major (American) institution" that is routinely "subjected to unjust abuse." Evangelicals and fundamentalists have received similar treatment, but they do not top Jenkins' short list of institutional targets of "unjust abuse."

Jenkins' list of abusers is long and growing. It extends from erudite intellectuals who claim to be Catholic—Garry Wills most prominent among them—to crudely anti-Catholic playwrights, including Terrence McNally (of *Corpus Christi* and its sacrilegious homosexual "Jesus") and Christopher Durang (of *Sister Mary Ignatius Explains It All to You* infamy), to innumerable productions for television and film.

Jenkins sees no end to the abuse, even though he is convinced that feminists and homosexuals have little to fear from Rome, let alone from the American Catholic Church. This is partly owing, he believes, to the recent sex scandals that have seriously weakened the moral authority of the Church. Jenkins also detects little political will in the country at large to limit abortion rights and to challenge the homosexual agenda, official Catholic positions on both notwithstanding.

Once again, it all seems to come down to sex. Put simply, anti-Catholicism is alive and well in America because the Roman Catholic Church refuses to place Her seal of approval on the sexual revolution of the 1960's and beyond. And really, what should be so surprising about this?

Chesterton once said that he became a Catholic because it was a Church out to move the world, rather than move *with* it. When it comes to issues of sexuality, this is exactly the Church that Pope John Paul II has presented to the world. Garry Wills may not approve, his Chestertonian past notwithstanding, but no matter.

If a fashionably Catholic priesthood including active homosexuals and women should come to pass, Jenkins predicts that Catholicism will become indistinguishable from Anglicanism, in particular, and mainline Protestantism, in general. In other words, a lust for relevancy will pave the way for death-by-irrelevancy.

Jenkins is surely not suggesting that this version of liberalism will necessarily triumph in the Church, but he does suspect that, if left to Her own devices, the *American* Catholic Church would head in this direction. And if She did, would the Church finally be liberated from the slings and arrows of anti-Catholics? No, for just as antisemitism survives and occasionally flourishes because it provides a "useful demon figure," so anti-Catholicism will similarly survive and flourish.

What Jenkins labels "social facts," after all, can be very stubborn things, especially when they provide useful fictions for those bent on establishing Catholic responsibility for the holocaust and papal complicity with Nazism. And such "facts" are not likely to disappear any time soon. Nor will what Jenkins calls the "black legends" surrounding the singularly Catholic evils of the Crusades and the Inquisition.

Today, however, these historical "social facts" are dwarfed by the modern "social fact" of the Church's alleged intolerance of homosexuals and women. Once again, we are back to sex. Jenkins seems compelled to tip his hat to those feminist and homosexual propagandists who have mastered the sly art of portraying their differences with the Church as an innocent conflict between secular freedom and religious dogma. Thankfully, he does not feel compelled to agree with them.

Here, Philip Jenkins is less amazed than he is determined to drive home a point that too many Catholics will find amazing. Not so long ago, practitioners of anti-Catholicism were generally conservative. Today, liberals eagerly fill that bill—despite their agreement with the Church on several social issues. War and peace? The income tax specifically and what are euphemistically called "social justice" issues generally? More often than not, the American bishops and secular liberals are on the same page, if not in complete harmony. Yet liberals automatically dismiss the Catholic Church as reactionary, solely because of its stand on homosexuality and abortion. To Jenkins, this is "stark testimony" of the importance of sex and sexuality when it comes to defining modern liberalism.

All of this brings us to the author's key point: Modern liberalism, the elite culture, and anti-Catholicism constitute a kind of interlocking directorate. Witness modern liberalism's relentless campaign to abuse the Church and Her priests. Such was not always the case, and we do not have to go all the way back to Hollywood's decision to put Bing Crosby behind a Roman collar for evidence. Return only to 1970 and Father Mulcahy of *M*A*S*H*. Jenkins accurately charac-

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terizes *M*A*S*H* as an "aggressively left-wing film." And yet the worst that its makers dared to do to the good chaplain was to portray him as an amiable fool.

Not so in this day of pedophile priests. Here, Jenkins demolishes yet another "social fact." The current crisis is not one of rampant pedophilia within the American priesthood but stems, instead, from the actual fact of an increasingly homosexual priesthood. This is a crisis that the media choose to ignore, even as they celebrate the "courage" of those who dissent from Church teaching on the subject of homosexuality. Meanwhile, others who maintain the orthodox Catholic perspective are dismissed as evil or, in the case of the Pope himself, made out to be little better than amiable fools.

This cultural shift has been swift and stunning. As Jenkins notes, before our very modern times, all churches regarded homosexuality as sinful. Today, the occasion for grave sin is to harbor antihomosexual thoughts. And you need only voice those thoughts or otherwise give evidence of something called *homophobia* (which often amounts to a failure to endorse the entire homosexual agenda) to have committed the unpardonable sin.

Neutral observer that he tries to be, Jenkins cannot avoid detailing the prevailing double standard of the media when it comes to covering attempts of "gay activists" to force hopelessly "homophobic" Catholic sinners to atone. ACT-UP can willfully invade St. Patrick's Cathedral, and the media's response is either approval or silence. Such invasions are treated as isolated incidents rather than as part of a troubling pattern. Here Jenkins draws a telling nonparallel to the media-fed "wave" of black-church burnings—what amounted to a frantic effort to establish a pattern where none existed.

When it comes to spotting troubling patterns himself, a troubled and astonished Philip Jenkins is very good indeed. But is he troubled enough? After taking the reader through all of his remarkable evidence, he asks only that anti-Catholics acknowledge their prejudice, lest the Catholic Church continue to be subjected to a "particularly blatant double standard." But isn't that the point? Or is Jenkins still too astonished to see it?

Anti-Catholics are not likely to abandon a strategy that is working so well for them. Witness, for example, the defensive posture of a Church hierarchy that is so fearful of being labeled homophobic that it refuses to be honest about the problems presented by a homosexual clergy. Witness, too, the tepid conclusion drawn by the author of this generally fine book.

There is hope, however, if only because there is always hope. In the present instance, the hope is that enough orthodox Catholics, which is to say anti-anti-Catholics, will read this hard-hitting book and be so amazed—and awakened—that they will do a great deal more than meekly plead with their enemies to stop doing what they are doing and own up to their unacceptable prejudice. And maybe anti-anti-Catholics will even be so bold as to ask their enemies to reflect on the universality of sin in this troubled world, including sinfulness in the hearts and acts of those who continue to hold fast to those twin relics of barbarism that are doing society so much damage today.

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The Road Not Taken

by Clyde Wilson

The Southern Agrarians and the New Deal: Essays After *I'll Take My Stand*
edited by Emily S. Bingham and Thomas A. Underwood
Charlottesville: University Press of Virginia; 310 pp., $45.00

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The 1930's were marked by intellectual trauma as well as by economic hardship. What had caused the apparent catastrophic crash of "capitalism"—collapse of equity, vanishing demand, and vast unemployment? The desire to diagnose the cause and prescribe a remedy created many ideas and movements. Some achieved success of a sort, and others went unheeded.

The latter category includes the Twelve Southerners of *I'll Take My Stand* (and its inadequately appreciated sequel, *Who Owns America?*). Their prescription was the only one that looked back into the American tradition. The rest were intellectual constructions imported from Europe or made up for the occasion.

The Agrarians, like their English Distributist counterparts, believed that the malady was a surfeit of abstract ownership, government favoritism, dependence on oversized institutions, concentration of wealth, and artificial living. The remedy was a return to a better time of small but independent property owners—to what Mr. Jefferson had always said was the only true base for liberty, the widespread distribution of property—productive landed property, especially.

As Southerners, the Agrarians had no sympathy for "capitalism" as it had been practiced. Contrary to a common delusion, the ruling Republican Party has *never* represented free enterprise. What it represents is Big Business—private ownership with government subsidy, tariff protection, and manipulation of the money supply. Unlike mainstream American "intellectuals," the Agrarians were never tempted by Marxism—it was a foreign import and only a more vicious form of consolidation of power. John Crowe Ransom wrote in "The South Is a Bulwark": "Farmers are bad medicine for Marxians. But those in the South are obstructive small fry . . . which means that a good deal of work will have to be done with them."

As Southerners, the Agrarians were at the same time more conservative and more populist than other Americans, something that middle-class intellectuals (like the editors of this book) will never understand.

The Southern Agrarians and the New Deal collects fugitive essays by several of the Twelve Southerners—Donald Davidson, Frank L. Owsley, Andrew Lytle, H.C. Nixon, and Allen Tate—on the crisis of the 1930's. Contrary to the silly but commonplace charge that these writers were irrelevant purveyors of nostalgia, the essays reveal hard and original thinking. As long as the government was going to rearrange the economy, which was unavoidable, why should not its interventions lean in a Jeffersonian direction? Such ideas were put forward by Lytle ("The Small Farm Secures the State"); Davidson ("An Agrarian Looks at the New Deal"); Tate ("The Problem of the Unemployed—A Modest Proposal"); and the Ransom essay already quoted.

Of course, their ideas were not followed, which does not necessarily mean they were without merit. Their appeal has never died away. In fact, they have been cogently revived by Wendell Berry. The United States opted for agribusiness and the welfare-state capitalism that we have lived under since, with ever-increasing discontents. That was the domestic "solution"—from which is now proceeding apace the proletarianization

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of the working and middle classes. It was a long time before the country fully succumbed to the domestic regime's inevitable companion—permanent revolution of the Trotskyite variety packaged as "global democracy," whose conquest is only just now being completed as the revolutionary impulse weirdly combines in the muddled minds of our Chief Executive and his henchpersons with the old militant self-righteousness of the New England "city on a hill."

As is common with published collections of sources these days, particularly Southern documents, the book has a 21-page Introduction with 79 footnotes, alerting us to every superficial and hostile commentator on the Agrarians who has ever published. We have hints and more than hints that the writers within were racists, tending toward fascism, disingenuous, and fatally flawed in their analyses. The editors are mortally afraid that someone might take the ideas of the Agrarians seriously. Racists? No more than anybody else in those days. Fascist? Their only connection with that was a *Northern* magazine editor from whom they quickly disassociated themselves. Disingenuous and fatally flawed? Compared to New Dealers and Marxists?

Let Davidson have a final word: Whatever the merits of their ideas, the Agrarians "have pointed out a road away from Leviathanism": the road not taken.

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Flawed Genius

by Jeffrey Meyers

Nabokov at Cornell
edited by Gavriel Shapiro
Ithaca: Cornell University Press;
287 pp., $39.95

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Vladimir Nabokov—like Hemingway, Lorca, and Borges—was born in 1899, began life in the stable Victorian era, lived through the horrors of the Great War, and came to artistic maturity in the 1920's. Driven out of Russia by the revolution of 1917, exiled in Berlin and Paris for the next two decades, Nabokov reached New York in 1940. Like the magnificent butterflies he so lovingly studied, he adapted perfectly to his American habitat. He was handsome, witty, and athletic, multilingual, sophisticated, cosmopolitan—and nice. He had an engaging personality and a brilliant mind, and he was a versatile man of letters with a catholic interest in both science and art.

Nabokov's training as an entomologist inspired his interest in minute details and the exactness of his literary works. Unlike the scientifically trained Aldous Huxley, Arthur Koestler, and Norman Mailer (with his Reichian orgone box), however, Nabokov never derailed into fuzzy mysticism. As an amusing, flamboyant, and formidable teacher at Wellesley College (1941-48) and Cornell University (1948-59), he combined the precision and patience of the scientist with the passion and pity of the artist. His regal demeanor, aristocratic manners and old-world charm, superb acting, rich Russian-French intonation and eccentric personality, idiosyncratic ideas, lively wit, and enthusiasm for literature all made a profound impression on his eager but largely uncomprehending students.

Nabokov, an uneven writer, created his best work in English and mainly at Cornell. *The Real Life of Sebastian Knight* (1941), a parodic biography, was (he cunningly wrote) "shaped by the teller, reshaped by the listener, concealed from both by the dead man of the tale." He found the kernel of the perverse yet poignant relationship of Humbert and Lolita, the antiheroes of his greatest novel (1955), in Leopold Bloom's fantasy-infatuation with the dreamy adolescent Gerty MacDowell in the Nausicaa chapter of James Joyce's *Ulysses*. *Pnin* (1957) and *Pale Fire* (1962) were wickedly funny academic satires with a Cornell setting. His autobiography *Speak, Memory* (1967), a Proustian remembrance of things past, was (as he wrote of Proust in a characteristically sinuous sentence) "the transmutation of sensation into sentiment, the ebb and tide of memory, waves of emotion such as desire, jealousy and artistic euphoria—this is the material of the . . . singularly light and translucid work."

His *Lectures on Literature* (1980) and *Lectures on Russian Literature* (1981) were meticulously prepared (nothing was off-the-Nabocuff) and remained exactly the same for two decades. Though flawed by his categorical dismissal of all social, political, and philosophical issues as extraneous to pure art, they offered precious insights (accompanied by drawings of Anna Karenina's railroad compartment and Gregor Samsa's buglike form in Kafka's "Metamorphosis") into the technique, structure, style, imagery, and "background of words, their fashions, history and period associations" in major works of Western literature.

The astonishing success of *Lolita*, which sold over 14 million copies, freed him at last from the bondage of teaching and allowed the eternal itinerant to move to a luxurious suite in the Montreux Palace Hotel. He drank heavily at the end of his life and—like Joyce and Mann—died in Switzerland, in 1977. Nabokov transcended the loss of his heritage, his country, and his language, and, in an unusual expression of optimism and satisfaction, exclaimed that "he had accomplished what he wished in life and art, and was a truly happy man."

Joyce slyly said of *Ulysses*: "I've put in so many enigmas and puzzles that it will keep the professors busy for centuries arguing over what I meant, and that's the only way of insuring one's immortality." In a similar fashion, Nabokov, who "toys and Tolstoys with words," also loved stylistic fireworks: puns, wordplay, parody, puzzles, and obscure multilingual allusions that have inspired legions of lean lecturers and full professors to burrow endlessly into his work.

Nabokov at Cornell is not about Nabokov at Cornell. There is no discussion, as one would expect, of his great performances as a teacher, no illuminating reminiscences by colleagues and students of his fabled personality. Instead, this book offers 25 twelve-page, mostly deadly academic essays, the products of a 1988 conference at the university, many of them about minor works in Russian. These scholarly incursions have no interest for the general reader nor even, most likely, for the other contributors. One can imagine members of the audience (those still awake) running for the exit as these lectures, many of them in leaden prose and Russian-accented English, began. There are typos in "painter" (122) and "Sterne" (163); a reference to a nonexistent periodical (54 n9); and a false assertion, quoting another "authority," that Nabokov and Edmund Wilson "began and ended their relationship through the agency of . . . Alexandr Pushkin." In fact, Pushkin had nothing to do with the start of their friendship.

The worst essays are a speculative attempt to link Nabokov to P.D. Ouspensky, whose mystical rubbish he would (if

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he had ever heard of it) have loathed; the opaque "Semiotic Validity of the Mirror Image in *Despair*" (which does make one despair); and the pretentious "'Signs and Symbols' and Silentology." The survey of Nabokov scholarship, congratulating many people in the original audience, is complacent and completely uncritical. Like Browning's Last Duchess, the surveyor smiles on all alike. He also obediently consigns to the dustbin the pioneering biography of Andrew Field—anathema and "unperson" to Nabokov's son Dmitri, the guardian of the flame—because Field first revealed that the gallant Nabokov publicly expressed devotion to his wife in all his dedications while carrying on a number of serious love affairs. Dmitri's keynote address offers a familiar, sanitized, and self-serving account of his parents.

A notable lacuna in the three discussions of Pushkin (who, like the novelist Mikhail Lermontov, was killed in a duel) is Nabokov's early story "An Affair of Honor" (1927), a witty parody and satiric send-up of the romantic conventions of the duel. Like Dostoyevsky's insulted and injured Underground Man, Nabokov's absurd antihero suffers abject humiliation—and while contriving to survive his ordeal loses his wife, his honor, and his self-respect.

Of marginal interest are the essays on the source of *Despair* in sensational contemporary murders and the source of "Scenes From the Life of a Double Monster" (a superb title) in the 18th-century *Memoirs of Martinus Scriblerus*; on the two film versions of *Lolita* and the *tour-de-force* translation of *Alice in Wonderland* by Nabokov, who, with the help of childhood tutors, "knew how to read and write English before he was literate in Russian"; and the "attention to detail, fascination with the convex mirror, and authorial presence reflected in such a mirror" that Nabokov may have learned from such early Netherlandish painters as Jan van Eyck.

The most potentially promising essay, on Nabokov's intense hostility to André Malraux's masterpiece *Man's Fate* (1933), is seriously defective. The summary of the novel, which describes Chiang Kai-shek's destruction of his former communist allies during the Shanghai revolution of 1927, is hopelessly inadequate. The author does not mention Malraux's pertinent dispute in 1931 with the exiled Leon Trotsky about Malraux's earlier novel *The Conquerors* (1928) and the fact that Nabokov disliked *Man's Fate* because the heroes were his lifelong enemies, the communists. The author also fails to point out that Malraux was yet another example of Nabokov's notorious blind spots about many great writers: Cervantes, Dostoyevsky, Henry James, Freud, Mann, Lawrence, Pasternak, Faulkner, and Hemingway.

Jeffrey Meyers' biography of Somerset Maugham will be published in February. He is now editing Orwell on Writing *and working on* Impressionist Quartet, *about Degas, Manet, Berthe Morisot, and Mary Cassatt.*

My Ground, Myself

by Katherine Dalton

Finding Higher Ground: A Life of Travels
by Catharine Savage Brosman
Reno & Las Vegas: University of Nevada Press; 216 pp., $21.95

◆

To a woman who has spent several decades of her life in New Orleans, a city that lies mostly below sea level, any trip out is a journey to higher ground. And so Catharine Savage Brosman's title works for a book of essays mostly about journeys away (though she includes a nice piece on New Orleans as well). These are travel essays as such essays should be: travel as distilled through the mind and memory of the author, more autobiographical than anything else. There is, in fact, relatively little here about the places she visits, and in any case, with a few exceptions such as Paris, these are places unlikely to be on any Condé Nast traveler's destination wish list. Yet the essays are evocative of the places they concern all the same, as Brosman digs to find meaning for herself in these several parts of the country she loves.

Brosman is a recently retired professor of French at Tulane University; her academic side and love of her second language are both evident in this book. There is also humor here, as in her funny piece on the pretentiously antipretentious Sneaker Ball held in Aspen. Her most consistent theme, however, is her longing for those she loved who are now deceased, and her more easily requited love for those parts of the country where she has spent her life—places such as southwestern Colorado and West Texas, places that might not appeal to everyone, but mean the world to her. Brosman is well able to transmit that love to her reader.

This collection is full of fine ideas and beautiful passages. In "'To Miss New Orleans'" (the title quotes a song), Brosman writes at first that she cannot really know what it is like to miss a city where she has lived productively for 35 years. But then she observes:

> Popular wisdom has it that you never know how much you'll miss something until it's gone. . . . But sometimes . . . there is an absence at the heart of presence, death felt at the core of life, and nostalgia for what one has not yet lost. And the way one plays with death in sleep, I have played with separation, by spending long weeks and months away.

Brosman has a particular talent for ending her pieces. To quote one of her endings out of context would be to lose most of its meaning, as her final lines typically serve as a thematic summing up of the essay as a whole, often through an image. That she is a poet as well shows particularly here, in her gift for finishing essays so neatly and powerfully.

As in the passage quoted above, there is an unsentimental but strongly elegiac quality to much of Brosman's work in this collection. Her deceased parents people this book, briefly but memorably—not so much for who they were (though we learn some of that) but for what they still mean to their daughter. Brosman spent a cold semester teaching in Sheffield, England, and as she lists her reasons for traveling across the sea from her comfortable home to live in some discomfort among strangers, she adds, at last, that knowing how much her father had longed to return to England himself, a place where he had felt happy and at home, she could not refuse an opportunity to go—if only for his sake. "What else can one do for the dead but live, and live well, if possible?"

This book is about places rather than persons because Brosman believes, as she argues in "Under the Lone Star," that she is in tune with certain places much more than it is possible to be with most people. This is partly, she says, because places simply are, in a way humans are not; places are more open to our interpreta-

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tion and not likely to correct us. She believes that we ought to be able to choose where we belong—to become a native of the place that best "enables" us. Her own experience, however, makes a different argument. If she belongs to New Orleans, she has lived there for three-and-a-half decades and more. If she loves Texas' big sky because it offers "the widest arena for the widest thought"—a nice compliment to a state not universally credited with intellectual broadmindedness—the fact remains that she lived there as a girl, and her parents are buried there. We love the places where we have lived because we have beat our own heels so much into that particular ground. When our loved ones lie there as well, when among the West Texas dust is their dust, how can we not love a place that contains so much of our joy and grief that it is a part of us, as we are of it?

Contributing editor Katherine Dalton lives on a farm in New Castle, Kentucky. Her most recent contribution to Chronicles *is the poem "Two Funerals" (June 2003).*

Superior Fiction

by Thomas Fleming

Time Between Trains
by Anthony Bukoski
Dallas: Southern Methodist University Press; 188 pp., $22.50

◆

One of the pleasures of fiction is the opportunity that novels, short stories, and epic poems give us to escape from our own everyday world into an alien world of gods and heroes (as in the *Iliad*) or knights and wizards (Tennyson's *Idylls*), English villagers (in Hardy's Wessex), or Mississippi rednecks and redskins (of Faulkner's Yoknapatawpha County). A large part of Tolkien's popularity derives from his success in sustaining the fiction of the parallel world of Middle Earth. In a smaller, quieter way, more reminiscent of Hardy than of Faulkner or Tolkien, Anthony Bukoski has sustained the fiction of an equally fantastic place, the fictional city of Superior, Wisconsin, a derelict railhead at the head of Lake Superior.

In most of his stories, Bukoski has only hinted at the urban glamour of central Superior—the endless succession of bars on Tower Avenue and the mysteries of *Globe News*, and he never so much as peers into the stately homes of bankers and physicians. Bukoski's village is the Polish section of the East End: the massive (though abandoned) ore docks and grain elevator; the Warsaw Tavern and the Polish Club. Bukoski laid the foundation for this imaginary world in his earlier collections, *Children of Strangers* and *Polonaise*, where the premise must have strained some readers' imaginations. Can there really be a place this depressing, and, if there is, can the inhabitants actually find some reason to love it? On the face of it, despite Bukoski's obvious ability to conjure the scene, the answer would seem to be doubly "no." As wonderful as the stories have been—filled with the naive optimism of weeds sprouting up in the cracked pavement of an abandoned gas station—many readers might have been justified in concluding that no such place as Superior could have ever existed.

By the time I reached the end of *Time Between Trains*, however, I had begun to suspect that Mr. Bukoski, purportedly a native of Superior, was pulling a fast one. There may, indeed, be such a ghost town, and Bukoski is its spiritual mayor. In the last story of the volume, "President of the Past," Rick Mrozek, who must be approximately Bukoski's age, reflects on the thankless task he has undertaken as president of the moribund Polish Club. Rick is the son of Buck Mrozek, composer of the famous "East End Polka" and hero of "Closing Time" (also included in this volume). The club, in its heroic early days, sent handsomely dressed old-world Poles to march in parades down Tower Avenue. Their polka dancing was so frantic that they had literally shaken their first premises to pieces, but their new building, into which they moved in 1963, is dying of old age. The monthly meetings are scantily attended; there are no new members, and the club is $20,000 in debt. Some enterprising businessmen want to buy the building and turn it into an "interactive sports bar."

Well, what difference can such depressing details mean to the patrons of internet lounges and sports bars in post-American America? For Rick Mrozek and his creator, they are everything. Rick is the memory of a community that once revered Tadeusz Kosciusko and venerated the Black Madonna of Czestochowa. Superior's pinnacle of happiness was the summer spent in Douglas County by Calvin Coolidge, who fished the Brule River and set up an office in Superior. Buck's mother played the violin for Coolidge at the president's summer White House.

Of this Polish America in Superior, little survives, and only Buck seems to care about preserving the memory:

> Now I think of the club and of my family as I whisper prayers. I don't want to let the club go to a German and a Finn, because the few active members who remain know our ancestors met during these very summer and winter hours as we do, read the same opening prayer at meetings, and followed the same order of business . . . How can we let this go? How can I myself let the club go? Almost everything is in storage. Yet in the faded map of Poland on the wall, and in the stale air of the Polish Club, I still have a place to come to where I can cherish my heritage.

Like Buck Mrozek, Anthony Bukoski is truly "president of the past, calling the ghosts to order," and the other stories in this collection (two of which were published first in this magazine) chronicle the dreary but rich lives of Vietnam vets, grain-mill workers, and waiters, the priest who falls in love with Ewa Zukowski, the Jewish rail inspector who finds new life with a Polish widow, old Mrs. Pilsudski who is ridiculed for her incontinence but finds peace and forgiveness in imitating "Christ's holy work on earth."

When Anthony Bukoski was growing up in the (even then already dying) East End, I was spending an idyllic childhood on the other side of town, in the fields and woods of Billings Park that stretched all the way out to the shore of Lake Superior. For me, the place exists largely as a memory, but Memory is the mother of the Muses, and, in staying home (except for hitches in Vietnam and graduate school), Bukoski has rebuilt his native city, brick by sooty-and-crumbling brick, and gilded the ruins with a wise and compassionate understanding of his fellow man. If Samuel Johnson was right when he said that every man's life is worth a biography, then every community of men is worth a chronicler, and the mythical East End of Superior has found its Homer.

Thomas Fleming is the author of Montenegro: The Divided Land.

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by Samuel Francis

The GOP's Secret Weapon

If the war with Iraq was largely the work of the Likudnik faction that has commandeered the Bush administration's Middle East policies, the liberation of Liberia on which the President suddenly embarked the nation last summer seems to have originated at least in part with yet another lobby of questionable loyalties. On July 7, as Mr. Bush was trying to explain (so to speak) why American troops had to be sent yet again into an overseas combat theater, the *Washington Post* suggested what were perhaps more compelling reasons than the President and his speechwriters could invent, let alone express.

Not only the ill-conceived Liberian adventure but also the President's summer vacation in Africa, his denunciations in Senegal of his own country for its role in the slave trade, his support for $15 billion in public funds to combat AIDS in Africa, and his transparent mollycoddling of Zimbabwe's Robert Mugabe, the most brutal (perhaps) and offensive despot on the African continent today were evidence of an unexpected interest in Africa from an administration that had hitherto seemed preoccupied with the Middle East. As the *Post* explained, the President's

> willingness to focus attention on Africa reflects the growing influence of an eclectic lobbying coalition that includes aid groups, religious organizations, entrepreneurs and the Congressional Black Caucus,

and, indeed, the No-Whites-Allowed Club on Capitol Hill that had opposed the Iraq war was eager for the White House to send troops to Liberia.

Secretary of State Colin Powell and National Security Advisor Condoleezza Rice were also instrumental in influencing the President's Liberia policy, the *Post* reported, and the paper was careful to describe the one as "the first African American to serve as the top U.S. diplomat" and the other as "another African-American." Miss Rice herself took credit for influencing Mr. Bush's views of "the peculiar ties between America and Africa, dating back to the slave trade." The President, she told the *Post*, "felt an obligation to 'bring about reconciliation.'"

It is also notable that Mr. Bush's trip to Africa, his anti-American speech on slavery, his aid for AIDS, and his Liberian policy all were unbosomed just before the national conventions of the NAACP and the Urban League, a coincidence that was unlikely to have been coincidental and which brings us to the point. As inexplicable as the sudden decision to send troops to Liberia seems in terms of national interests and the administration's general foreign-policy agenda, it is easily decipherable, given the domestic political delusions that continue to envelop the minds of the President and his main political advisors (principally Karl Rove). The simple and unvarnished truth is that we are sending American troops into serious danger in Liberia because Mr. Bush has been led to believe he can win black votes in next year's election.

Winning black votes—or, as various Republicans have rather indelicately put it in years past, "luring blacks into the Republican Party," much as one might lure squirrels into a trap—has been a goal of what pass for grand strategists in the GOP for decades, and, like most of the other goals of such strategists, it has been embarrassingly unfulfilled. In the 2000 election, the Republicans sprinkled various blacks around their national convention to show everyone who paid attention how tolerant they were, and Mr. Powell and Miss Rice were prominently exhibited. As black columnist Armstrong Williams wrote the day after the election, "Gov. Bush pursued African-American connections with more avidity than any Republican candidate of recent memory" and "studded his campaign trail with stops at inner-city schools, churches, welfare offices, and black communities."

All to no avail, of course. In 2000, Mr. Bush received a pathetic eight percent of the black vote, the lowest percentage won by a Republican candidate since Barry Goldwater's six percent in 1964. And to judge from the loud denunciations of the President and his party by such eminences as Julian Bond and Kweisi Mfume of the NAACP only a few days after his African trip, President Bush will be lucky to get even that much next year.

Almost nothing the President has done to win black favor has pleased the implacable lords of the NAACP. Last summer, the *Boston Globe* reported that "Bush has appointed more minorities to top-level government positions than President Clinton did when he put his first administration together." Mr. Mfume, interviewed by the *Globe*, quickly dismissed Mr. Bush's approaches to blacks as a "ploy," while Mr. Bond, at the NAACP convention, was positively vicious in denouncing the Republicans as a whole for appealing to the "dark underside of American culture" and aligning themselves with those "who reject democracy and equality" and whose "idea of equal rights is the American flag and Confederate swastika [*sic*] flying side by side."

One would think that, by now, it would be obvious to the Republicans that they are not going to get any appreciable number of black votes, that pursuing them will only distract the party and its resources from making approaches to constituencies that they either already have or could realistically hope to win, and that they do not need black votes anyway. The Republican Party today is, as it always has been, a white party, and its future lies in enhancing its share of the white vote, not in trying to construct a mosaic. In 2000, Mr. Bush won 54 percent of the white vote; had he spent less time pandering to nonwhites and more time wooing white voters whose turnout has been dwindling, he might even have won a majority of the national popular vote. In no presidential election since 1972 has a victorious Republican candidate failed to win a majority of whites. Only in 1992 and 1996 did the weak candidacies of George Bush I and Robert Dole garner 40 and 46 percent of the white vote, respectively.

Moreover, it should be equally obvious that the Democratic Party is now almost

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entirely dependent on black votes to remain a major party at all. Of the 50 million votes received by Al Gore in 2000, one out of 19 (about 20 percent, or some ten million votes) came from blacks; if that bloc were to vanish, the Democrats would win no more votes than Bob Dole in 1996. Even more important than the black vote to the Democrats in the general election is the role of the same bloc in picking the party's nominee. This has been true since 1988, when the first Super Tuesday concentrated several Southern primaries on the same day, allowing the 40 percent or more of blacks who vote in them to cast a largely solid ballot for whichever candidate has sufficiently pandered to them (or, at least, to their self-appointed leaders). In 1988, the bloc went for Jesse Jackson, who won what *Congressional Quarterly* called "nearly unanimous" black support in the Southern primaries and emerged from them only 14 delegates behind Michael Dukakis, who won the party nomination that year only by mobilizing the ethnic vote. In 1992, Bill Clinton emerged as the leading Democratic candidate after winning even more votes than Jackson had four years earlier, and, in 2000, Al Gore forced his only serious rival for the nomination, Bill Bradley, out of the race by out-pandering him to win the black vote in the Southern primaries. Given the power of the black bloc virtually to dictate the Democratic presidential nomination and its importance for a Democratic electoral victory, it ought to be obvious that no number of black appointees and no amount of neocon chatter about vouchers, the color-blind society, and enterprise zones are going to persuade black voters and their chieftains to switch over to the GOP.

Why do Republicans not see this? It is tempting to suspect that they do see it, that Mr. Mfume is essentially right, and that the whole GOP racial panderfest tactic is simply a "ploy" to make it look like the party is eager to help blacks while in fact piling up white votes. There are two problems with that theory. One is that the "ploy" takes so much effort (intervention in Liberia, for example) that it is clearly more than a ploy; the other is that, since it clearly does not work, what would be the point of continuing to abuse our patience with the pretense? The only plausible reason that can account for the obstinate GOP persistence in a failed and counterproductive strategy is that the party leaders really believe it, that they have become at least as wedded to the Rainbow Republican strategy as the Soviet communists were to their economic dogmas, and that there is virtually nothing—no argument and no event—that could shake that belief. The Stalinists had Trofim Lysenko; Republicans have Mr. Rove.

And, if the Republicans themselves do not really believe it, the neoconservatives who have replaced the brains of the party with their own acute intelligence do. Thus, back in 1998, neocon Christopher Caldwell argued—quite seriously—in the *Atlantic Monthly* that the Republicans would be well advised to drop appeals to white Southerners, the Southern heritage, cultural issues, and especially opposition to gun control. The GOP, he wrote, through its "nitpicking libertarian indifference to Americans' fears about armed violence," had already alienated too many voters. If there really is anything resembling a rational purpose behind the Republican obsession with winning blacks, it may lie merely in the need to attract the sort of urban professional technocrats (like Mr. Caldwell) who may be about the only real constituency neoconservatives have and who despise any hint of affiliation with what they perceive as a rural, religious, gun-owning, culturally conservative, Southern, bigoted, and quite nontechnocratic stratum of the American population. Pandering to blacks makes people like Mr. Caldwell and his friends at the *Weekly Standard* feel sophisticated and progressive, though it must not be carried so far that very many nonwhites actually start showing up in their neighborhoods, schools, and fern bars.

More recently, neoconservative guru Arnold Beichman, writing in the *Washington Times*, seriously advocated that President Bush dump Vice President Cheney in 2004 and replace him with . . . Condoleezza Rice, a maneuver Mr. Beichman claimed would "split" the black vote and line Miss Rice up for a run for the White House in 2008, thereby forestalling the archdemon Hillary. Mr. Cheney would be happy to be demoted to national security advisor, he wrote. Confronted with heavyweight strategies like these from the Republicans and their neocon brain trust, the Democrats have little to fear.

The danger that the Republican delusion creates, however, is not that the party will lose. Quite frankly, it makes little difference which party wins, and I suspect most Americans know that. Last summer, after Democratic presidential candidate Joe Lieberman had angered the NAACP by failing to show up at its convention, he tried to make amends by claiming he would appoint Mr. Mfume to the Supreme Court. What difference would it make if he did? How would Mr. Mfume vote differently from Sandra Day O'Connor, David Souter, and Anthony Kennedy, to name only three of the seven Republican appointees on the current Court? And what difference would it make if the president's name were Lieberman instead of Bush?

The real danger of the Republican delusion that the party can break the black political monolith by racial pandering lies in the pandering itself. It is one thing to sprinkle black faces around the convention, kiss black babies, and appoint black officials. It is quite another to endorse affirmative action, insult and denounce your own country because of slavery, and send troops into a violent and unstable country like Liberia for no better reason than the groundless hope of gaining a few black votes. The deeper into their delusion the Republicans immerse themselves and the party, and the more wedded to it and the policy and political commitments it implies, the less possible it will be for serious conservatives of any stripe to prevail within the party or in contests against Democrats.

Last summer, shortly after Mr. Bush returned from his African odyssey, he addressed the national convention of the Urban League, to what was described as "polite but tepid applause," and mooed to his audience that "our journey toward justice has not been easy and it is not over" (and similar banalities). On the same page that it carried the article about the President's speech, the *Washington Post* carried another article about a new poll conducted for the Democratic Leadership Council, hardly a warren of Republican sympathizers. "Dramatic erosion in support among white men has left the Democrats in a highly vulnerable position," the *Post* reported, "and unless the party strongly repositions itself, President Bush will be virtually impossible to beat in 2004." Just so. Republicans can get all the tepid applause and outright insults the black politico-racial monolith has to offer, but they do not need its support or the foolish counsel of neoconservatives alienated from their own country and people. What they do need are white votes, more of them, and the issues and commitments that will win them. c

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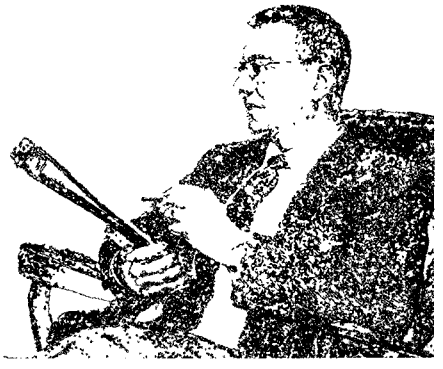
by Scott P. Richert

A Nightmare on Elm Street



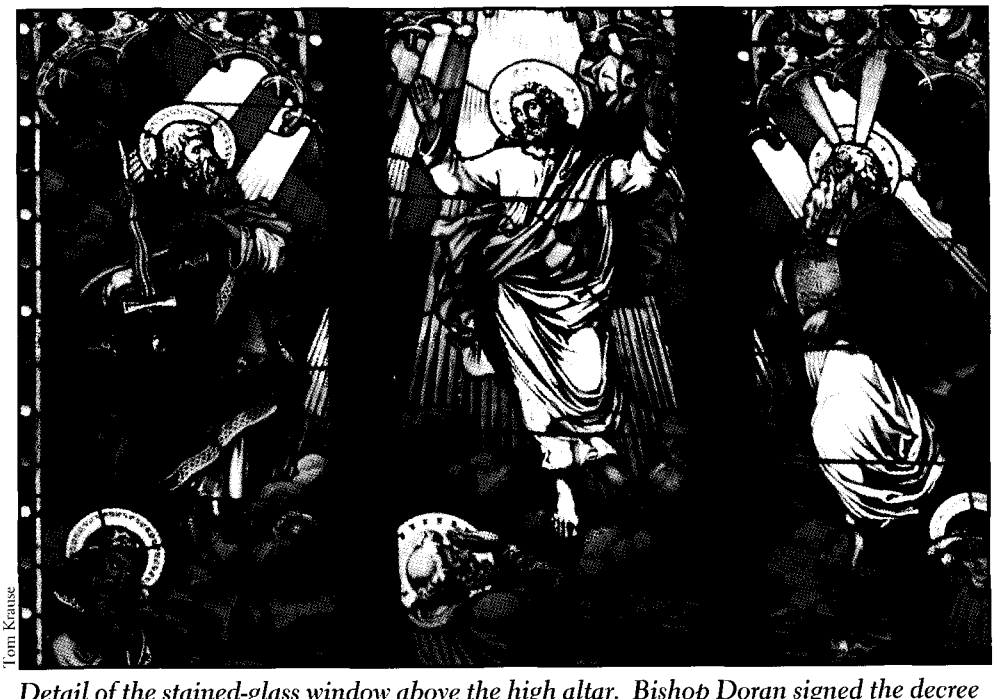
I have raised up a chosen man from my people, with my holy oil I have anointed him so that my hand is always with him and my arm strengthens him.

A year ago, on the Feast of the Assumption of the Blessed Virgin Mary, Bishop Thomas G. Doran of the diocese of Rockford elevated a church downtown on Elm Street, St. Mary's Shrine, to the status of an oratory. (See "The Bells of St. Mary's," *The Rockford Files*, October 2002). The declaration seemed the crowning moment in the five-year-long comeback of the second-oldest Catholic church in Rockford. Before the fall of 1997, when the bishop entrusted St. Mary's to the care of the Institute of Christ the King, Sovereign Priest, the church had failed as a parish. Downtown Rockford simply no longer has enough residents—Catholic or otherwise—to sustain the massive red-brick Gothic structure. The Institute, which, at the invitation of Bishop Doran, ministers to the Latin Mass Community of Rockford, took on the task with gusto, under the leadership of St. Mary's rector, Fr. Brian A.T. Bovee.

O God, who for the defense of the Catholic Faith and the restoration of all things in Christ didst fill Saint Pius, Supreme Pontiff, with heavenly wisdom and apostolic courage: grant in Thy loving kindness that by following his teachings and examples we may attain eternal rewards.

Between the first Sunday of Advent, 1997, and Christmas 2002, Father Bovee oversaw a massive renovation of the church. The altar rail was restored; two side altars were constructed, honoring the Blessed Virgin and St. Joseph; the steep roof was replaced and the steeple repaired; and, at a cost of over $400,000, the stained-glass windows ("some of the finest in the Midwest," according to stained-glass expert Frank Houtkamp) were removed, cleaned, repaired, and reinstalled. Organist and choir director Mark Dahlgren, at great personal expense, replaced St. Mary's aging organ.

The restoration of the church was paralleled by the growth of its congregation. By this summer, average Sunday Mass attendance had reached 425; most Sunday liturgies were standing room only. Father Bovee raised the possibility of adding a second Sunday Mass. (He already celebrates two Masses on weekdays.)



Tom Krause

Detail of the stained-glass window above the high altar. Bishop Doran signed the decree elevating St. Mary's to the status of an oratory on the Feast of the Transfiguration.

And then, over Labor Day weekend, while Father Bovee, Bishop Doran, and other top diocesan officials were out of town, everything changed.

Last November, I mentioned Winnebago County's plan to build a massive new jail over nine square blocks, across the street from St. Mary's (see "The Cohn Zone," *The Rockford Files*, November 2002). As I wrote,

> It's an open secret that the county has long desired the property on which St. Mary's stands; now, since the jail would cover the lot in which most of the congregation parks, some parishioners have begun to suspect that Winnebago County hopes to solve the problem of public parking for the jail by making life uncomfortable for St. Mary's.

No one quite knew just how uncomfortable, however. On Thursday, August 28, county-board member Rick Pollack sent an e-mail to the board's secretary:

> Sally, Here is my plan regarding the St. Mary's Church: Please have a resolution written to enlarge the land acquisition area (include the church property) for appraisal and potential purchase. At our meeting on Sept. 3, we will vote on the resolution and bring it in to the full County Board Sept. 4.
>
> I hope to have a representative from the diocese and Paul Logli to be present for moral support. I don't want a media circus on this so I will talk to our board members. Tim Simms will check support for this at our caucus next week.

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If Pollack did not want a "media circus," he should have refrained from using e-mail. By Friday, fellow board member Mary Ann Aiello had obtained a copy of the message and alerted the media. By Sunday, *Rockford Register Star* reporter Pat Milhizer had tracked down the details, and columnist Chuck Sweeney blasted the plan, calling it, in the style of a 50's B movie, "The Jail Monster That Ate Downtown," "which would erase the diversity of downtown with a macabre monolith of incarceration."

By Tuesday, September 2, the story had spread like wildfire, and Winnebago County State's Attorney Paul Logli (himself a Catholic) found himself subjected to a heavy grilling by crusading local radio talk-show host Chris Bowman. At first, Logli argued that the possible loss of St. Mary's was unimportant, claiming variously that few people worship there; that the church had suffered a fire in 1962 and had been "rebuilt," so it was not the same building that was erected in 1885; and that, because the Oratory "is not a parish," no one could be "married, buried, or baptized there."

When Tom Fleming, coming on the Bowman show with Logli, pointed out that all of his claims were false (the congregation is sizeable; the fire, while devastating, had left the structure, including all but three of the stained-glass windows, intact; and marriages (including that of Tom's daughter, Eleanor), baptisms (including those of three of my children), and even burials have all been performed at the Oratory, in accordance with canon law), the state's attorney backpedaled. The county, he now claimed, was interested only in St. Mary's school, which was last used in 1974. He apologized for any misunderstanding.

Supporters of St. Mary's, however, weren't buying his apology. When we posted a story on the threat to St. Mary's on *Chronicles*' website, e-mails poured in from across the United States and as far away as Norway and Australia. By Wednesday morning, the Catholic League for Religious and Civil Rights had issued a press release. Catholic League President William Donohue had this to say:

> We are contacting every member of the Winnebago County Board urging them to scratch this hastily drawn plan today. . . . Building a new county jail is important, but surely it can be done without demolishing a church of this significance. St. Mary's sports a vibrant community and is led by one of America's premier bishops. In short, it merits a special place in the Rockford community.
>
> To bulldoze St. Mary's so that local thugs can have a new home is more than insensitive—it's insane. Because of the uniqueness of this church, Catholics from all over America will keep a close eye on how county officials react.

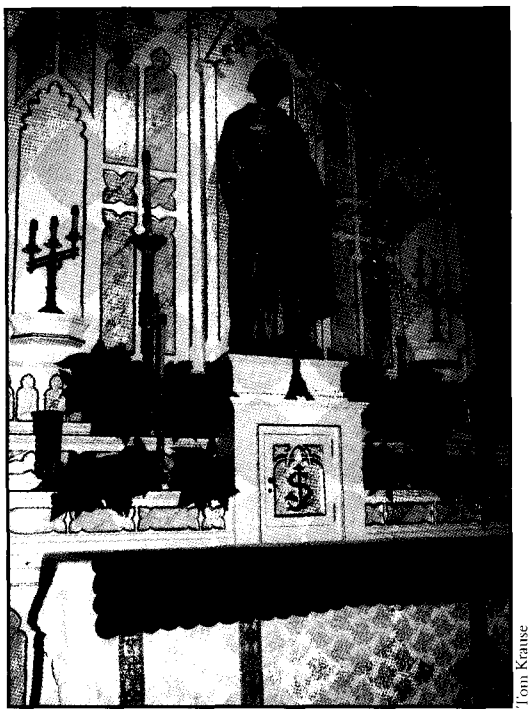
On *The Chris Bowman Show* that morning, Donohue pulled no punches, raising even the specter of a lawsuit over Logli's comments the day before. And then the earth shook.

Bowman announced that Fr. John C. Fritz, secretary to Bishop Doran, was on the line. Father Fritz, coming on the air, asked a simple question: "Would you like to speak to the bishop?"

Bishop Doran, upon returning to town, had learned of the board members' plans. Thanking Donohue for his efforts, Bishop Doran had harsh words for a local government that has grown a bit too big for its britches. The Catholic Church "has been around for 2,000 years; when America has been around that long, then the government can start bossing us around," he said.

And that, anywhere else, might have been the end of the matter. Not, however, in Winnebago County.

Brethren, we had confidence in our God to preach to you the gospel of God amid much anxiety. For our exhortation was not from error, nor from impure motives, nor from guile. But as approved by God to be entrusted with the gospel, so we speak not as pleasing men, but God, who proves our hearts. For at no time have we used words of flattery, as you know, nor any pretext for avarice, God is witness, nor have we sought glory from men, neither from you nor from others.



Tom Krause

The right side altar, devoted to St. Joseph. The parish hall is also named after the saint.

Privately, some county-board members claimed that the diocese was well aware of the county's intentions and had even expressed an interest in selling the church. The claim, however, seems dubious, and

Tom Krause

Workmen reshingle the steep roof of St. Mary's Oratory.

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not simply because of Bishop Doran's vocal support for the Latin Mass Community and the Institute of Christ the King. The chancery must understand the grave consequences that accepting public money, generated by a controversial sales tax in an economically depressed city, would have for the diocese. Contributions from Catholics would surely drop. ("I already gave at the store.") Furthermore, as Bishop Doran pointed out on the Bowman show, Catholics are a minority in this part of the Midwest. The chancery surely would not risk turning the non-Catholic majority actively anti-Catholic.

I have proclaimed thy justice in the great assembly: lo, I did not restrain my lips; Lord, thou knowest.

By Wednesday afternoon, Winnebago County Board Chairman Kristine Cohn, Sheriff Richard Meyers, and State's Attorney Logli had issued a joint press release, stating that the county

> has no plans to buy and/or destroy St. Mary's Church. . . . The only land that may be impacted by a connecting tunnel or overhead walkway would be . . . the former grade school building. In the event that particular building is in any way affected, then appropriate and mutually beneficial arrangements will be made to preserve or relocate the heating plant currently located in the former school so as not to disrupt the Church or its congregation.

However, as county-board member John Terranova wrote in an e-mail to Bill Donohue,

> a small minority of [board] members, and perhaps other officials, had initially planned to ram this proposal through without media scrutiny and serious Board oversight. They were caught, exposed and now are running for cover. If this issue were not as serious as it is, it would be amusing to hear the very members who brought this plan to resolution form now saying they would never have moved to tear down the church.

Wednesday night, at the board's public safety committee meeting, Pollack, who denied that he had ever intended to threaten St. Mary's, introduced a revised resolution that would expand the land-acquisition area to include St. Mary's property "excluding the St. Mary's Oratory." (The school and the historic rectory would both be fair game.) However, the resolution goes on to state that "the Criminal Justice Project Director is authorized . . . to report the results of the investigation including any additional property required to the Public Safety Commission." But the only additional property at St. Mary's is the Oratory.

Parishioners from St. Mary's filled the committee room to overflowing, and many showed up the next night at the county-board meeting. During public comments, Mark Dahlgren thanked the board for reconsidering and invited the 28 board members to come to Mass on Sunday so that they could better understand what they might be destroying. Board member Larry Bauer read a letter from parishioners David and Phyllis Monty issuing a similar invitation. (That Sunday, the only board member who accepted the invitations was Aiello.)

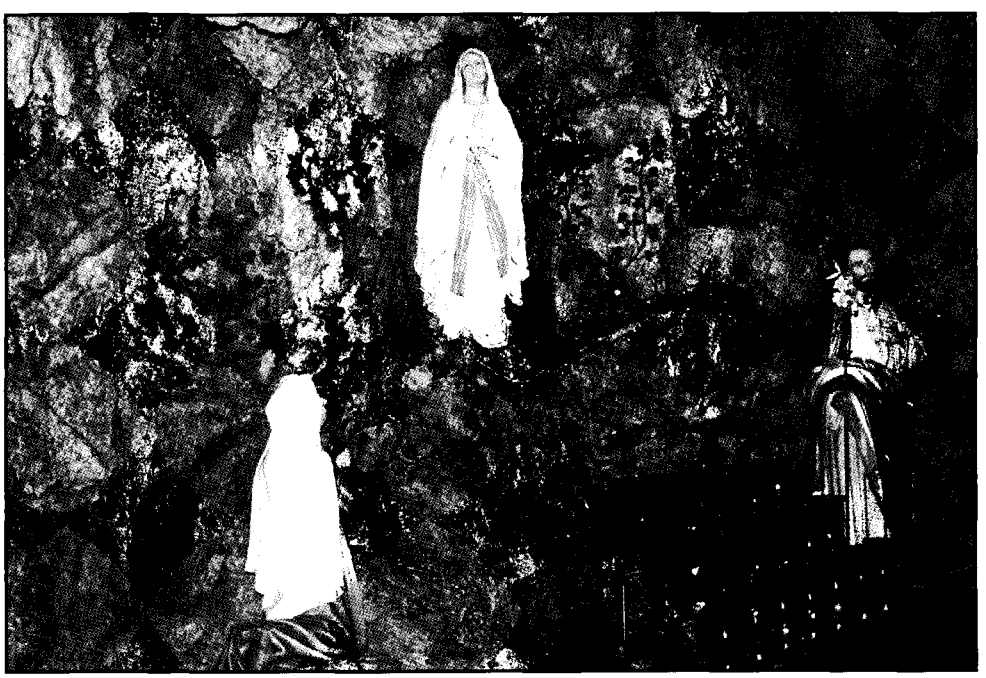
At the end of the meeting, board member Jim Hughes moved to have the public safety committee consider building the jail "on bare land"—in other words, outside of downtown. And so, at this writing, St. Mary's fate is still up in the air, and her congregation is down on its knees.

At that time Jesus said to Simon Peter, Son of John, dost thou love Me more than these do? He said to Him, yes, Lord, thou knowest that I love Thee. He said to him, Feed My lambs.

The communion of saints encompasses more than this world, and many parishioners have noted that September 4, the day Jim Hughes made his motion, is the birthday of Judi Sharp, whose selfless devotion to St. Mary's extended beyond her untimely death last year and helped provide the funds to complete the restoration of the church's stained-glass windows. And the feast day of Pope Saint Pius X, a great leader in a time of turmoil who was committed to the restoration of the Faith, is September 3, the day Bishop Doran rallied to St. Mary's side. (The italicized readings and prayers in this article are drawn from the festal Mass of St. Pius X.)

When Bishop Thomas Doran elevated St. Mary's to an oratory, he did more than change the status of the church; he bound the Latin Mass Community and their liturgy to a particular place. This is their home now, and they have responded accordingly. They continue to trust that, with their bishop's protection, it will not be taken away.

We beseech Thee, O Lord our God, that we who have been replenished with strength at the heavenly table may, by the intercession of Saint Pius, Supreme Pontiff, be also steadfast in the faith and of one mind through love of Thee. c



The grotto at St. Mary's, modeled after the shrine at Lourdes, France. The church's second pastor, Fr. Michael McLaughlin, is interred behind the railing in the lower right-hand corner.

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Letter From Rockford

by Kelly P. Champlin

Ladygun Speaks Out

◆

Firearms. A single word describes an almost infinite number of individual items and has the power to polarize an entire world. I have a personal stake in the debate. I own firearms and shoot not only for pleasure but on a competitive level. Why am I bringing this particular fact to light? Because I live in Rockford, Illinois, and our state is attempting to become the first statewide gun-free zone in the country.

The bill currently languishing in the state's Senate Rules Committee is SB1195, and it is only one of about a dozen "antigun" bills that were introduced in February of this year. SB1195 would make felons of a huge number of Illinois residents unless they destroy, render inoperable, hand over to law enforcement, or remove from Illinois a very long list of firearms and firearms accessories.

The bill reads, in part:

> The General Assembly finds that the high rate of fire and capacity for firepower of semiautomatic assault weapons, assault weapon attachments, and large capacity ammunition feeding devices pose a significant threat to the health, safety, and welfare of the citizens of this State, that the use of these weapons, devices, or attachments for sport or recreation is substantially outweighed by the danger these weapons or devices present to human life, and that restrictions should therefore be placed on the manufacture, delivery, and possession of these weapons, devices, and attachments.

Semiautomatic means that one round is fired every time the trigger is pulled. This bill does not cover fully automatic weapons (which fire rounds continuously until the trigger is released), which were regulated in 1968 by the federal Gun Control Act. Fully automatic firearms are still available from private collectors, but the government has a list of requirements for purchase, including holding a "Class 3 Firearms License" (unavailable in Illinois), fingerprinting, an extensive background check, and a $200 transfer tax paid to the federal government by the purchaser each time the firearm changes hands. Automatic weapons are no longer manufactured for civilian sale to anyone who lives in the United States. These are not guns that will be used in drive-by shootings. Assault weapon attachments? Bayonets are not exactly drive-by material, either.

SB1195 states, after proscribing the "weapons, devices, and attachments," that

> Any person who knowingly possesses a semiautomatic assault weapon, large capacity ammunition feeding device, or assault weapon attachment must, within 90 days after the effective date of this amendatory Act of the 93rd General Assembly, destroy the weapon or device, render it permanently inoperable, relinquish it to a law enforcement agency, or remove it from this State.

The bill makes no provisions for compensation, no "grandfather" clauses. Simply put, *Hand over the guns, or you will be arrested and charged with felony crimes.*

This is not the first weapons ban to hit Illinois. Cook County (Chicago) has had a ban in place for a number of years and is still a very high-crime area. The authors of SB1195—Senators Munoz, Martinez, and Sandoval—have obviously put quite a bit of thought into this bill. It would make criminals of those of us who shoot local, national, and international matches; historical reenactors; and those of us who hunt to help put food on the table. (In Illinois, deer hunting with firearms is only allowed using shotguns, muzzleloaders and, in certain municipalities, large-caliber handguns.) It would also make criminals of those thousands of us who just like to shoot at a target at the end of the range because we enjoy shooting.

The Brady Bill of 1993 was not this broadly written, and it did not decrease the crime rates in such cities as Chicago and Washington, D.C., by any appreciable levels. It did, however, increase the value of pre-ban "assault rifles," high-capacity magazines, and certain components. A high-capacity magazine for a competition handgun may have cost, at the high end, $40 before the ban. That same magazine, if you can find one, now runs $80-$150. They can be purchased if they were made before the Brady Bill took effect, but manufacturing them for civilian sale is illegal.

SB1195 would outlaw rifles and shotguns with a magazine capacity of more than five rounds, ending most rifle competition in the state. It would ban any handgun with a capacity greater than ten rounds—the majority of firearms manufactured—and would effectively eliminate handgun competition in the state. Strangely enough, there is also a weight limit. If the manufactured weight of a handgun is more than 50 ounces unloaded, it falls under this new bill. This would include the Ruger Super Redhawk and the Freedom Arms Cassull revolvers. Both of these are used for handgun hunting.

The bill would outlaw any firearm having a caliber of .50 or greater, which includes 20-gauge, 12-gauge, and 10-gauge shotguns, leaving only the .410 shotguns for hunting and recreational use, eliminating trap and skeet competition in Illinois. This particular part of the bill could also be interpreted to include many black-powder firearms, especially those that are not antiques. This would bid fair to eliminate historical battle reenactments using modern replicas of antique weapons. Antique black-powder firearms would be protected, but they are rarely fired: They are usually too valuable either monetarily or historically to risk damage.

This bill would be detrimental to the firearms industry in the state—not only to the firing ranges and gun clubs—but to the federally licensed firearms dealers and the firearms and components manufacturers in Illinois such as Les Baer Custom; Springfield, Inc.; Armalite; and Rock River Arms. Olin-Winchester, an ammunition manufacturer, would also be affected.

The trickle-down effects of the bill would also hurt anyone who sells anything even remotely associated with fire-

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arms: clothing, shoes, luggage, rain gear, safety glasses, and hearing protection; target manufacturers, such as Arntzen Steel in Rockford; electronics companies such as Competition Electronics in Rockford.

Wal-Mart, Kmart, Gander Mountain, Dick's Sporting Goods, and MC Sports are just a few of the retailers which would see drops in business, particularly at the hunting and gun counters. After all, if there were only a few firearms left in the state, and most of those are low capacity or antiques, where would the business come from? Ranges such as Pine Tree Pistol Club in Rockford, PASA Park in Barry/Quincy and Tri-County Gun Club in Hazelhurst would no longer be able to host competitions, which would rob local economies of tourism dollars—and with just those three ranges hosting regional, national, and international matches, that could mean major losses for airports, hotels, shopping centers, restaurants, even gas stations.

The same applies to the several hundred other firing ranges in Illinois and the local economies to which they contribute. When competitors go to major matches, they bring their families. And those wives and children (and, yes, sometimes husbands) of competitors may not be out on the range. They are probably at the local shops, putting money into local coffers.

If the gun owners in Illinois decide to take their firearms out of state to keep them, how many families would move to another, more gun-friendly state? How many property-tax dollars would be lost? How many sales-tax dollars would be lost? Gun owners are not flannel-shirt wearing, scruffy-looking hicks. Firearms and the shooting sports have never been inexpensive, and those of us who own guns legally do not buy our gear on the black or gray markets. We pay taxes on every item that we purchase, from the $30,000 trap shotguns and $3,500 custom handguns all the way down to those $.18 soft earplugs.

All of this could be seriously detrimental not only to firearms owners in Illinois but to the financial future of the state. How many manufacturers and retailers will lay off workers because of a lack of business, or even close? Illinois already has a hefty unemployment rate and budget deficit.

Our elected representatives take an oath to uphold the U.S. Constitution when they take office. If "We, the People" are willing to sit back and allow our duly elected representatives to throw the Constitution in the nearest garbage bin and burn it, we can no longer have the honest pleasure of saying, "We're Americans. We are free and proud." We will no longer be able to have a say in anything that our representatives do in the state and federal capitol buildings.

Why should you care? If you are a military or law-enforcement veteran, you were taught how to shoot using fully automatic and semiautomatic firearms. Why should you not be able to use, as a civilian, what you were taught to use in defense of yourself, your family, your home, and even your country, should there be another attack such as the one perpetrated on September 11, 2001?

There are more than 22,000 firearms laws on the books now. How many of them are enforced? How often do we hear that a person was arrested for robbing a bank at gunpoint, then bow our heads and say a prayer of thanks when we hear that no one was hurt and shake our heads in disbelief that the person who committed the crime got a slap on the wrist? The firearms charges are usually dropped in the plea bargain.

Those of us who own guns legally are exhausting ourselves trying to fight a government that cares next to nothing about the rights of the law-abiding and makes kings of criminals. "If there is one bad apple, throw out the entire truckload," seems to be the prevailing attitude in state capitals. Given time, if the legislators would stop taking our rights away, those bad apples would eventually eliminate themselves by being legally shot and killed while breaking and entering the wrong houses.

Kelly P. Champlin is president of the Pine Tree Pistol Club in Rockford, Illinois, an NRA-certified instructor in basic pistol safety and marksmanship, and a USPSA/IPSC open division competitor.

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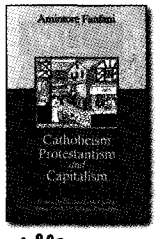

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Letter From London

by Andrei Navrozov

The Unbeliever

◆

Suppose you are tired of hearing about roulette. Suppose the very thought of gambling, despite the metaphorist's efforts to depict it as the great commonwealth of epochal disillusionment and hence universalize the experience, strikes you as tedious. Suppose you are the sort of man who insists that the only thing duller than watching people take unnecessary risks at the gaming table is reading about them, and it just doesn't matter one whit whether the chronicler at the scene happens to be Ian Fleming, Pushkin, or Navrozov. Suppose you ex-

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press your annoyance by claiming that children, job, career—or, alternatively, unrequited love, or keeping a motor yacht in the Mediterranean in reasonably good nick, or getting hold of that second bottle of Southern Comfort when you are too drunk to find the car keys—are problematic enough, and that it is they, not roulette, that are the universal yardsticks of risk and its concomitant aims or emotions.

A couple of years ago, here in London, I took the exiled financier Berezovsky to Aspinalls, where he had never been. "How very tedious," pronounced the former Soviet mathematician as we strolled through the Arabian opulence. "Do you know what I always say? The only way to make money in a casino is to own one." (This summer, doubtless with the same prudent sentiments in mind, one of his erstwhile Russian associates bought the Chelsea football club for $250 million, which was front-page fodder for weeks on end in the English papers.) I smiled a languid smile, having heard words to that effect a hundred times before. And when, at the end of the evening, my guest decided that he wanted to join the club, it was with the same languid smile that I signed his application for membership. Now he comes often. *He has a system*, I hear.

I'm not telling the story to gloat, as a member of a society for the popularization of the paranormal might when boasting about the miraculous conversion of a particularly difficult unbeliever. I'm telling the story for another reason. This is a man who is reputed to be a multibillionaire, after all. This is a man who fell afoul of the ruling junta in Russia, to which he had belonged, and was condemned to the role of Trotsky in a criminal universe that is only superficially less ruthless than Stalin's. This is a man who now faces extradition from Britain on transparently absurd charges, whose only real purpose is once again to bend the West, compelling it to sacrifice due process to diplomatic expediency. And yet here he is, in the midst of all his global troubles, sitting at the table with a pile of plastic chips in his trembling hand. More than that, *he has a system*.

What sort of system? "Well," as he told a friend of mine the other day, "basically, I come in there with, say, ten or twenty thousand pounds. Once I've doubled it, I put my winnings away and don't touch that, no matter what. No matter what, you understand. Then I can go on playing with my original stake, and I don't have to worry about anything." *Anything?* What about extradition? The freezing of assets? A show trial in Moscow? Infamy? Life imprisonment? Wives, children?

Berezovsky has hardly anything in common with the tragic hero of my narrative, of course, for the poet player has no system. Moreover, what he seeks in roulette is an escape from all systems, starting with those of Thales and Anaximander, and what he finds there, in the end, is anguish, not tranquillity. The case of the tycoon's conversion, however, is nonetheless significant because it demonstrates that, even in the minds of those who have no conscious wish to transcend the material world, the spiritual reality of gambling may be far more concrete than much of that tottering Babel of wisdom or sensibility that many of us pride or pity ourselves for having erected in the course of an earthly existence that seems audacious and hazardous but is, in truth, only arduous and haphazard.

"And yet the salient characteristic of life must be daring, *tólma*," argued the Russian writer Lev Shestov in *The Scales of Job*.

> All life is creative *tólma*, and hence an eternal mystery irreducible to the ready and the easy. A philosophy seduced by the example of the natural sciences, a philosophy which aims to differentiate into an infinity of minutiae all that is problematic or unexpected, not only does not lead us closer, but actually takes us farther away from the truth. The seduction began already with Thales and Anaximander. All is one, held Thales, while Anaximander saw in plurality—that is, in what is eternally problematic—impurity and even impiety. Philosophers who followed them aimed to banish plurality and promote unity in their systems, so that the understandable unified became a synonym of the immanent good. The individual, the autonomous, the exceptional was daringly different and hence unreal.

Noting the tendency, which later exploded into Descartes and Spinoza and eventually broke all banks, flooding Western culture from the 18th century to our own day with totalitarian rationalism, Shestov acknowledged that philosophy was never completely to lose the ancient fascination with the extraordinary:

> Both Plato and Plotinus were keenly conscious of mystery, they knew what it meant to be initiated and were themselves initiates. They honored the memory of ancient sages. But they also sought power over the thoughts of men. Thus, when Aristotle decisively turned his back on the esoteric, it made him one of history's winners. Even the Middle Ages, so greedy in their search for mystery, whose presence they felt in all things, ended by choosing him as their guide.

Roulette, I say, is one of the few remaining windows onto mystery not yet boarded up by Western thinking.

For the mossy canals of Venice—*John Ruskin, do you hear me?*—can be easily filled, as the Ponte della Libertà already connects the city to the mainland, the Moses project to shut off the lagoon has been approved, and, in all likelihood, our children will be taking the subway to St. Mark's Square. The Gothic cathedrals of France—*those dust motes on the beam of sunlight that slants through stained glass, remember?*—can accommodate guitar-strumming pilgrims from the bathhouses of San Francisco, for no church in Christian Europe has been able to stem the tide of social progress or even to proclaim from the pulpit that God is greater than political slogans. The unwritten British constitution, to say nothing of the overtly irrational House of Lords—*George Gordon Byron, you could have been a nobody all your life!*—can be razed, since no modern institution is permitted even a whiff of the extraordinary, the arbitrary, or the hermetic.

What is left, I ask you? Art? The music of lyric poetry? But like all art, poetry is wholly reliant on the artist's experience of the world's present beauty and his faith in its future vitality. What to do, then, given that the last of the quotidian of life-sustaining beauty in our civilization—and, even more significant, practically all of our civilization's potential vitality—has been leveled, and is being beaten into the ground, by the slushy frozen rain of rationalist ratiocination?

But Oh, in roulette! There chance—proud Chance!—is unfelled, not by Aristotle, not by Marx, not by Darwin, not by Adam Smith, not even by the theory of probability. There it stands, rampant like the great lion of what was once

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the most serene Venice, unharmed by the talk of reason and justice and fairness. It makes a mockery of the 21st century. It reigns supreme over tomorrow's rich and yesterday's poor, the Pushkins, the Navrozovs, and the Flemings, drawing the poet player ever onward, ever deeper into its unmathematical, incalculable, lyric mystery. Will a man like Berezovsky ever understand this?

Andrei Navrozov is Chronicles' *European correspondent.*

Letter From Washington, D.C.

by Matthew Rarey

Tainted Love

◆

Conservatives rightly honor George Washington, but why should any conservative so much as like Washington, D.C.? The answer seems as perplexing as the desire of a tourist to buy an "I Love D.C." T-shirt from one of the Third World vendors on Capitol Hill. Tell me, Mr. Smith of Heartland, U.S.A., does wearing red-white-and-blue schlock signify your pilgrim's pride that "We, the People" are masters of the federal government and that you visit its lair as a co-landlord inspecting his corporate realm? As you tour the Capitol in your shorts and your made-in-China T-shirt and sneakers, does the glare off of white-marble shrines blind you to the reality that the federal leviathan confiscates a third of your annual income, meddles in your private affairs to the extent of dictating the type of toilet you can buy, and, when it is not financing circuses with your money, may cause your death when its riles Islamic militants?

After surveying the scene for over a year before returning to my native Midwest, I think that I have a good, if rather general, answer to my opening question, premised by the observation that few conservatives worth their salt reside in D.C. and like it. "It" is the reason D.C. exists, not the cosmopolitan trappings that make life pleasant on former swampland. "It" signifies what this city has become through the income tax, mass democracy, and the managerial state. "It" is marked by the politicking and talk shows, the public-policy wonks finding fulfillment in ephemera and lobbyists wringing pols' hands with a check in their palm. "It" is odious to true conservatives who work here only because their jobs demand it.

What of the majority of D.C.'s so-called conservatives? Simply put, they are mislabeled. The first indication is that they love it there and get paper cuts from passing out their business cards so fast. They fall into two categories: the first, pathetic; the other, contemptible. There are the earnest young "conservatives" who do not know Burke or Adam Smith but are well versed in Coulter and Hannity. They believe that voting Republican will make everything hunky-dory. Conservatives of the heart, maybe, but not of the mind. Then there are the ambitious hacks who have graduated from the College Republicans and want to join the real party. Seeing them prancing down the street squawking into their cell phones incites the delicious urge to strangle them with their power ties.

However, the efforts of both sorts of quasiconservative politico are rendered more absurd (the earnest young things) or more shameful (the hacks) by the stagnant *status quo*. Washington is no place for initiating bold new ideas or defending the dowdy principles laid out in the Constitution. Practically all of the planks of the Socialist Party platform on which Norman Thomas ran in 1928 have been accepted by both parties and most have been implemented. Back in 1962, Mr. Thomas himself noted the irony: "The difference between Democrats and Republicans is: Democrats have accepted some ideas of Socialism cheerfully, while Republicans have accepted them reluctantly." Since both parties agree on the big picture, they must fight over the details. The noble statesmen of the Old Republic would not bother coming to town today, which explains the ascendancy of the Lotts and Liebermans.

And so the average Washingtonian conservative is in the same boat as the liberals, who at least are honest in their convictions. This phenomenon is not limited to strictly political circles but extends to all institutions associated with the government, such as think tanks. The biggest right-wing think tank, the Heritage Foundation, is located three blocks from Congress and advertises government positions through its "job bank." As a devastating *New Republic* piece showed, Heritage glosses over the threat posed by China (which offers lucrative investment opportunities), though it once vigorously assailed the Evil Empire (nuclear rich but cash poor). Epitomizing Washington's uncontroversial conservatism, this powerful organization deserves the nickname "the Heretic Foundation."

Conversations with D.C. conservatives—activists, policy wonks, and politicos—validate Russell Kirk's observation that "politics is the preoccupation of the quarter-educated." They can debate *ad nauseam* the composition of the Department of Homeland Security without ever asking what the "Defense" Department signifies. They can squabble over immigration reform without ever taking note of President Eisenhower's successful "Operation Wetback," which simply deported the aliens back to Mexico. They can give incredibly detailed analyses of proposals for prescription-drug benefits without questioning whether the Constitution mandates that the government play pharmacist. They lack the intellect and imagination to get to the roots of policies and to determine their worth based on first principles or the Constitution. Their chests are stuffed with statistics and factoids, but their heads are empty of wisdom and the knowledge of what the Founding Fathers intended America to be. They can quote from George W. Bush's first inaugural address but haven't a clue what George Washington said in his Farewell Address. Banning such characters from D.C. would drop the bottom out of the housing market.

None of these gripes is to deny that Washington can be lots of fun, however. There is much fiddling while Rome burns. The suits talk shop and joke over their single malt, and there is no lack of merrymaking for legislative assistants and other underlings at the loud, anonymous bars. (Try striking up a conversation with the typical go-getter girl, and her lead question is, "So, who do you work for?") Yet, for conservatives who wind up in Washington for ingenuous reasons, there are avenues for entertainment, too. Being members of a small cast, they tend to seek each other out for camaraderie.

Before returning to the relative sanity of Babbitt country, I invited Joseph Sobran to lunch with some friends: a carpet-bagging Knickerbocker who sells real estate to underwrite his scholarship (a Ph.D. dissertation on Benjamin Disraeli), and two speechwriters for high-ranking government officials.

"At fifty, everyone has the face he de-

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serves," Orwell said. Mr. Sobran's visage is scarred by battles that he should not have had to fight. But that is what getting axed by William F. Buckley, Jr., from *National Review* and blackballed by the mainstream conservative press can do to a man of principle. Still, he seemed heartened by sympathetic young Turks eager for his conversation. He did not fail to please. Going to war with Iraq, he remarked, is proof that the War on Terrorism has failed. We can't find Osama, so we'll get Saddam. "President Bush said that we won't know when we've won the War on Terrorism," he said over a glass of sparkling Spanish wine. "My question is: How will we know if we've lost?"

As our glasses were refilled and the plates cleared away, the conversation shifted to a secular god not yet enshrined in a temple on the Mall, Franklin Delano Roosevelt. I recalled the incident during a summit in which Stalin boasted that he planned to have 50,000 German POW's executed. Churchill protested this gross inhumanity. Smirking, FDR suggested a compromise: murdering only 49,999. At this, Mr. Sobran exclaimed, "I just want to [make water] on his grave. Anyone want to join me? In fact, I'd like to lead a march on Hyde Park to do it."

That sounds like a refreshing weekend getaway from Byzantium-on-the-Potomac.

Matthew Rarey is Chronicles' *editorial assistant.*

Letter From Prague

by Curtis Cate

A Sentimental Return

◆

Returning to a city you once loved is always a perilous experience, for it is so easy to be disappointed—as happened to me several years ago when I returned to Venice, a seaborne city I had not seen for more than 40 years. How can anyone be disappointed by Venice? My answer had little to do with Venice, whose enchantment, so long as it remains afloat, is timeless; it had to do with the raggle-taggle, blue-jean-and-T-shirt-clad mob of invaders I found myself having to battle every time I stepped out of the hotel and ventured on to the Piazza San Marco or tried to circle the lagoon along the Riva dei Schiavoni. And this in what I had innocently fancied was the "off-season" tourist month of October!

Having learned from this bitter experience when *not* to travel, when *not* to ruin a fond memory, I decided to take no chances in returning to Bohemia. I therefore chose one of the very coldest moments of the year—late January—to revisit what, ever since I first beheld it during the summer of 1945, was and has remained the lovely, the breathtakingly beautiful, uniquely baroco-Gothic or Gothico-baroque city of Prague. How right I was! For I found the old town, with its plethora of red-tiled rooftops, cupolas, and spires, its buttressed bridge with its quaintly gesticulating saints and bishops and its three medieval watchtowers, its long, rambling castle, and its towering four-spired cathedral softly powdered with fresh snow.

Ah, the snows of January, the not yet totally vanished snows of yesteryear, and, let us hope, tomorrow! Those wintry snows that were once familiar to the inhabitants of Dickens' London and of Balzac's Paris, but which are still well known to the peoples of Central and Eastern Europe. I am not a poet, but I could easily write an ode in praise of this wintry gift, unknown to most of the inhabitants of California. Snow, the great cleanser, capable of embellishing even the darkest, dirtiest of buildings. Snow, the incomparable landscape softener! Snow, able to enliven the dullest, sulkiest, most leaden-heavy overcast with the contrasting whiteness of its soft, silent mantle—as was recognized long ago by Currier & Ives, and by Maurice Utrillo, with his streaky, gray-white townscapes of Montmartre.

The world is a strange place, filled with strange creatures. Since almost everything is possible, there may well exist tourists who come to Prague and are not impressed. I can sincerely say, however, that I have yet to meet such a person, and I hope I never will.

Nothing is more difficult than to sum up the beauties of a city in a few words. If I had to explain to an inhabitant of Paris, internationally a far more "familiar" city, in just what way Prague is so special, however, I would probably end up saying something like this. "You see that hill over there?"—pointing to Montmartre—"well, instead of all those nondescript houses crawling up its slopes, just imagine the finest *hôtels particuliers*, the finest 17th- and 18th-century townhouses being moved out of the seventh arrondissement and piled up the slope, one almost on top of the other, but far more extravagantly baroque, with more curves and stuccoed in friendly ochre, caramel, pale, and even dark-brown, carmine-red, pistachio-green, and even zebra-gray hues, climbing up the mountainside, with, crowning the summit, an entire palace, almost as large as the Louvre, and, inside it, instead of that bleached monstrosity known as the Sacré Coeur—what Alexander Calder once aptly called an 'upside down cow'—a four-spired version of Notre Dame." But even that would not suffice. For one would have, in addition, to take the oldest bridge in Paris, the absurdly named Pont Neuf, and move it, along with a twice-widened river Seine, a good kilometer northward, so that it circled around the lower slopes of Montmartre, and then adorn its two extremities with Gothic towers, such as one can still find in provincial French towns, but which were long ago removed from the less "backward," the more "up-to-date" and "modern" capital of France.

It is precisely this glorious congestion, this being hemmed in between the steep hill of the Malá Strana (or "little side") and the broad waters of the Vltava (or Moldau, as the less expertly tongue-twisting Germans prefer to call it) that makes Prague so unique. I know of no other European city—not even arch-baroque Salzburg, or the Oriental, neo-Gothic extravaganza of Venice—in which the Gothic and the baroque are so perfectly blended. And the Czechs, thank Heaven, have shown no hasty desire, not even under Klement Gottwald and his communist successor, Gustav Husak, to alter this architectural *status quo*. The tiny cobblestones on which you walk when you cross the Karluv Most (the 14th-century bridge that Holy Roman Emperor Charles IV, originally a Luxemburger, had built in the 1360's and where, next to the patronizing statues of friendly saints and bishops, contemporary artists and assorted vendors peddle their sketches, watercolors, gouaches) continue on under the Gothic archway and right up the steep streets as far as the summit. Although trams now circulate on both sides of the Moldau, the two oldest parts of the city—the Malá Strana (where houses, palaces, churches, chapels, and gardens are hemmed in against the mountainside) and the flatter Staré Město (Old Town) to the east, with its town-hall square and the astronomical

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clock, whose quaint figures sally forth in rotation at the 12 strokes of midday, have remained essentially cobblestone areas for pedestrians.

In 1945, when, as a member of a Russian-liaison team based in western Bohemia, I first drove into Prague in a U.S. Army jeep, the dazed, helpless city was still in a state of shock, having been miraculously saved from the destruction of SS fanatics by the unexpected intervention of an anti-Soviet Vlassov division, only to be ruthlessly occupied a second time by a conquering Soviet army. Its inhabitants—and, particularly, its womenfolk, so vulnerable to rape—were understandably nervous, fearful of a future in which, despite the reassuring presence of their president (Eduard Beneš), they knew that, for the time being, they were the helpless pawns of foreign powers. In a word, they were anything but happy. Still, for the lucky few of us who had been granted three-language passes (Czech, Russian, English), it was always a delight to escape once or twice a week from the camouflaged Luftwaffe barracks where we were garrisoned in the grim, proletarian, and already communist-dominated city of Pilsen to the entrancing, enticing capital of Bohemia.

Yes, how unbelievably lucky we were! There was, as I recall, only one riverfront restaurant where we could obtain a meager meal without ration tickets, but what did it matter! We could always bring provisions, including oranges, chocolate, coveted cigarettes, bottles of Kentucky Bourbon, and even *slivovice*, the plum brandy beloved of the Slavs from Danzig to Belgrade and Sofia, which we could obtain in exchange for rarer gasoline. I was able to befriend two families inhabiting the Malá Strana, and thus could, from the heights of the Hradčany, admire the incomparable sunsets of "hundred-towered Prague" during that magic moment of the day when the reflecting windows blaze like golden lockets under the molten rooftops and the placid Moldau turns the color of liquid bronze. I was even taught to dance the polka and the less well-known beseda by a charming young lady named Ludmilla. Yes, how utterly unreal, how irresponsible were those giddy moments that, for me, at least, might have ended in disaster, when, one day, Ludmilla's crazy brother—who had suddenly chosen to become a communist!—took control of the steering wheel and was only prevented *in extremis* from driving our jeep to certain destruction . . . down the steep steps leading from the heights of the Hradčany into the maze of narrow streets below!

A disaster of far greater magnitude awaited us—which is to say the soon-to-be-"disoccupied" Czechs and their American "protectors"—when General Eisenhower came to Prague and signed a formal agreement with President Beneš whereby all of Czechoslovakia was to be evacuated by the two occupying armies. Since the area being evacuated by the Red Army forces of the 5th Russian Guards was four-to-five times as large as the tiny zone that the U.S. Army's 22nd Corps had been occupying around Marienbad, Pilsen, and Klatovy, this could be interpreted as a diplomatic victory for Uncle Sam.

This was indeed the interpretation given to this momentous meeting by the U.S. ambassador, Lawrence Steinhart, a diplomatic "ace" who was credited with having outwitted Hitler's ambassador, Franz von Papen, during his four years in Ankara, by keeping Turkey from joining the Axis. In fact, the handwriting was already on the wall of Central Europe and had been there since January of 1945, when Beneš had been browbeaten by Stalin into accepting the establishment, in the first "liberated" Slovak town of Košice, of a 12-man government, in which the most powerful ministries—Interior, Army, Agriculture (for future *kolzhozes*), Justice (future trials of "enemies of the People"), and Education (brainwashing of the young)—had been placed in the hands of confirmed communists. This did not keep our lighthearted ambassador, who at that moment was busy courting one of Prague's most attractive hostesses, from repeatedly declaring, "Don't worry! Once the Russians have left Czechoslovakia, all will be well!"

Close to 20 years later, when I made a second visit to Prague in the summer of 1964, the Cold War was on in earnest. With the more-royalist-than-the-king fanaticism that "disciples" so often display, Klement Gottwald's successors had decided to make their proletarian dislike of Uncle Sam's capitalism clearly felt by imposing a kind of blockade around the U.S. embassy, to keep Czech cooks and charwomen from working for a humiliated diplomatic staff forced to busy themselves with the most menial domestic chores. There was a depressing drabness about almost everything, since individuality of any kind was frowned upon and even the simplest decisions—like the kind of wallpaper or decorative trimmings needed to brighten a shop window—had to be made by a communist-controlled committee.

This time I came, not as a jeep-conveyed G.I., but as a tourist traveling in a French Dauphine. After being refused accommodation in Prague's "swankiest" establishment—the Hôtel des Ambassadeurs, a gray-white "masterpiece" of Art Déco architecture dating from the 1920's, when France was still regarded as a great power and French the language of diplomacy—I finally found accommodations in a seedy hostellery called the Hybernia, located not far from the old Powder Gate, above whose Gothic archway gunpowder used to be stored in the late Middle Ages. It was a second-rate hostellery catering to second-class Soviet citizens, who already then were flooding into Prague in well-regimented droves. (Today, they are no longer regimented, but the droves are thicker than ever.)

Drab though communized Prague undoubtedly was, the first stirrings of revolt—the one that surfaced four years later with Alexander Dubček—could be clearly felt: most patently manifested by the extraordinary number of blue jeans and T-shirts everywhere to be seen and by the extraordinary popularity of "Big Beat" music imported into bars and cafés from the decadent West. There were even Czechs—like the celebrated actor Jan Werich—who were prepared to talk with an almost total lack of inhibition to a foreigner. In the course of a conversation held in his upstairs apartment on the Kampa—a charming "island" near the Charles Bridge linked to the "mainland" by a mill wheel, which still obstinately turns (but which, alas, was devastated by the floodwaters of last autumn)—Werich said to me: "We know little about God, except that He isn't a communist." Not wishing to get him into trouble, I excluded this comment from the published version of this interview—only to regret it for, after receiving a copy of my typescript through a cooperative French diplomat, he wrote to say that he would not have minded at all if I had left the comment in.

Today, of course, no Czech actor or writer needs to trouble himself with questions of this kind. Censorship has disappeared along with the omnipresence and omnipotence of secret agents: those whom an up-and-coming playwright named Václav Havel had had the singular courage to denounce as the gravediggers of the comradely spirit supposedly under-

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lying socialism in a masterpiece of penetrating analysis boldly entitled "Open Letter to Comrade Husak." Simultaneously published in Leopold Labedz's *Soviet Survey* and Melvin Lasky's *Encounter* in the autumn of 1975, this magnificent Cold War document can be regarded as the opening round fired in the movement of intellectual protest launched two years later as "Charter '77."

And so, slowly and, perhaps, unsurely, we come to January 2003. This time, through no merit of my own, I ended up in a magnificent baroque palazzo. For I must confess that I was not present in August and early September 1989 when Václav Havel, Alexander Dubček, and several hundred thousand cheering and demonstrating Czechs and Slovaks staged their "velvet revolution" on the Václavské Náměstí: Prague's biggest and most oblong square, which carries the saintly name of the "good King Wenceslas" whom we used to honor with a charming Christmas carol, when, on the Feast of Saint Stephen (the day after Christmas), he gazed out from his turreted window and saw the snow lying roundabout, deep, and crisp, and even. What few Americans—or, for that matter, Europeans—realize is that this kindhearted monarch, who invited a poor, half-frozen peasant to join him by a blazing fire for a warming meal of gruel, in reality met a grizzly end. For, having sought to convert the Bohemians to Christianity during the first half of the tenth century, he was murdered by his brother Boleslaw at the instigation of their pagan mother; his faith, however, which was that of his grandmother Ludmilla, whose saintly memory is equally venerated by the Czechs, won out in the end—as it did in nearby Hungary under the aegis of his fellow saint, King Stephen of Buda.

Yes, this time (which is to say, last January), I ended up in an enormous baroque palace, even grander and more loftily situated on the flank of the Malá Strana than the Schönborn Palace, which now houses the U.S. embassy. To reach it, our taxi had to undergo inspection opposite the embassy's ornate gateway by two solidly upholstered watchmen armed with electronic instruments, whose present duty it is not to keep Czechs from entering the no longer suspect building but to keep the Schönborn Palace from being blown apart by anti-American terrorists.

Inside the even grander edifice of the Lobkowicz Palace, to which a friend of mine had had me invited and which now houses the German ambassador and his entire staff, we found ourselves climbing an elegantly carpeted grand staircase, the surrounding walls of which were adorned not with solemn portraits but with framed photographs: photographs of German refugees from East Germany using ladders or the shoulders of relatives or friends to pull themselves up and over the walls and railings surrounding the palace grounds; photographs of the extraordinary tent city that, during those tense weeks of August and September 1989, covered the lawns and gravel-ways of the palace's baroque gardens, right up to the fence separating it from the even grassier expanse of the neighboring Strachow monastery (which houses the finest collection of Christian holy books and manuscripts to be found anywhere outside the Vatican); photographs of the triple and quadruple tiers of bunks that had to be installed in every bedchamber, hall, corridor, and office of the huge building, as the human tide kept relentlessly rising toward a daily total of 4,000 to 5,000, only to ebb in the nick of time, before dysentery set in. Few embassies in the world have ever had to face such a crisis—precipitated by a sudden, strange collective impulse, by a contagious realization on the part of thousands of East Germans that the Soviet Powers That Be were now Gorbachev and Shevardnadze, not Stalin, Molotov, and Klement Gottwald; that Erich Honnecker was a paper tiger; and that they could count on the passive cooperation of demoralized and even sympathetic Czech policemen in being allowed to storm the West German embassy—which is to say, their embassy—in Prague, as the most dramatic way of internationally publicizing their plight as captive citizens of a police state.

Later, a less harassed German diplomat than the sleep-starved ambassador who had to deal with the crisis undertook to bring out a lavishly illustrated book, duly prefaced by President Václav Havel, commemorating these extraordinary events. Dedicated to the "Palais Lobkowicz," it carries the subtitle: "A Spot of German History in Prague." In fact, however, it was not German or even Czecho-German history that was thus being made; it was Central European and even European history that was being made by anticommunist elements in every country of the rapidly disintegrating Soviet bloc, as was made clear by the final collapse, on November 9, 1989, of its most pathetic symbol, the shameful Wall—more exactly, a mined "death-strip" extending along the east bank of the Elbe, from the outskirts of Hamburg to Magdeburg, and on southward to the Saxon-Czech border.

As ill luck would have it, the Sternberg Palace, which houses the finest paintings in Prague, was closed for repairs at the time of my visit. Determined nevertheless to see what else the city had to offer in this field, I climbed the slope to the Hradčany—"Fortress-Castle" would probably be the best translation—where the stiff, goose-stepping automatons who used to guard the ornate gateposts (Herculean heroes clubbing their grounded foes) in the days of the Gottwald-Husak police state have fortunately been replaced by human sentries, warmly uniformed, bescarfed, and wool-capped against the cold. Beyond the presidential offices and chambers to the right, where President Havel (shortly before resigning) still resided, I entered the magnificently vaulted Vladislav Hall, now rarely used, since the parliamentary sessions of the lower house and Senate take place in two buildings located on the other side of the Moldau in the Staré Město area. Adjoining the Vladislav Hall are two small chambers where, on the fateful 23rd of May, 1618, a number of Czech Protestant "patriots," aroused to a fever pitch by a systematic Jesuit campaign to suppress Lutheranism (which, by this time, encompassed two thirds of Bohemia), boldly heaved two of the Habsburg emperor's Catholic regents—Jaroslav of Martinitz and Count William Slavata—through a casement window. The drop, more than 50 feet, looks murderously vertiginous, but the fall was less than lethal, for the two unfortunates fell into heaps of refuse and dung that had accumulated in the castle's moat. The indignity thus inflicted on the emperor's representatives by this forcible "defenestration" was such that it reverberated over the length and breadth of the continent, sparking a devastating war that lasted 30 years and so ravaged Germany that it effectively stifled what might have been a belated Renaissance.

One consequence of the initial 1620 battle of *bila hora*—of the so-called "White Mountain," which was less than white, nor snow-covered (as I long innocently believed), still less a mountain, being little more than a chalky hill located southwest of Prague—was made dramatically clear to me when I visited the Prague Castle Gallery, tucked away in one corner of St. Vitus's cathedral square. Its 300-

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odd paintings (third-rate Tintoretto's, Veronese's, Guido Reni's, *etc.*) were quite obviously leftovers from what was once a magnificent collection—indeed, one of the finest, if not for a while the finest, in all of Europe. The collector was a morose, idiosyncratic Habsburg named Rudolph (II, 1552-1612), who was more interested in artworks, chemistry, alchemy, astronomy—he was the enlightened patron of Tycho Brahe and Kepler—than in the day-to-day administration of his restive, Turk-threatened empire. Not the least of his "crimes" in the eyes of certain of his relatives was his casual flouting of family tradition. Abandoning low-lying Vienna, he followed Emperor Charles IV's example by establishing his capital in more "mountainous" Prague. After his death in 1612, his numerous artworks, known as the Rodolphine collection, were inherited by his ailing, short-lived brother Mathias (1612-19), whose absence of male heirs permitted the Jesuit-trained arch-Catholics of Austria and Bavaria to lay claim to the administration of the empire. The first to help himself to choice pieces of the Rodolphine collection was the principal victor of the Battle of the White Mountain, Duke Maximilian of Bavaria. The second, as a pathetic but eye-opening plaque placed near the entrance to the Castle Gallery indicates, were Gustavus Adolphus's momentarily victorious Swedes, who helped themselves to more treasures in 1632, duly followed by the Saxons in 1648.

Following this decisive battle, the Germanization of Bohemia was pushed with unprecedented vigor. German became the official language of administration and polite society, Czech being reduced to the status of a vernacular used by peasants and domestic servants. Thirty thousand Czech nobles and burghers went into exile—a foretaste of the hemorrhage that later overtook Catholic France in 1685, when Louis XIV rashly revoked the tolerant Edict of Nantes. One fourth of Bohemia's land changed hands, and a new aristocracy, mostly of mercenary origin (part German, part Walloon, part Spanish), was imposed on the country. The result was what one could call the Catholic colonization of Central Europe. The same colonizing energy that went into the founding of Williamsburg and Charleston, Georgetown and Beacon Hill, was now expended on Prague—with the curiously parallel result that, just as America is richer than England in 18th century mansions and churches, so Prague is richer than Vienna or Salzburg in the profusion of its baroque palaces and churches.

Today, these religious rivalries are, on the whole, relics of the past. The Czech Republic is an emphatically secular state, as it already was under Thomas Mazaryk. There is now general agreement that the "casting off" of largely Catholic Slovakia, though opposed by Havel but finally accepted by his more pragmatic prime minister, Václav Klaus, has greatly improved the once tense relations between Prague and Bratislava.

The forced Catholicization of Bohemia was never a conspicuous success, and its failure was already apparent in the late 18th century, when Mozart was snubbed by the Austrian emperor and Vienna's straitlaced aristocracy for having dared to make an opera out of Beaumarchais' subversive play, *Le Mariage de Figaro*. Virtually forced into exile, he found a haven in Prague and was welcomed by a more tolerant high society, ready to acclaim the licentious temerities of *Don Giovanni*, on its memorable premiere of October 29, 1787.

Prague, like any truly living city, has, of course, changed, and not always for the better. On the once gray and austere but now kaleidoscopically disparate Václavské Náměstí, I could not help noticing the bright, red-and-yellow presence of a McDonald's next to a hotel boasting the proud name of Zlato Husu (Golden Goose) and not far from the externally unchanged Hôtel des Ambassadeurs (now often used for conventions and symposia of all kinds). On a side street not far from the famous square, I was staggered by a bold, shop-front proclamation that this was a "super-sex" "hot-spot" for *Ženi*—which is to say, lesbians. And next to the many taverns and vinarnas (where, as the name suggests, good white wines are served along with the world-famous beers of Pilsen and České Budejovice, whence our Budweiser) and interspersed among the many shops selling Russian wooden dolls, *suverniry*, or Bohemia's famous "crystal," every second booth or niche-in-the-wall behind the round-arched arcades seemed to be occupied by a money-changing agent, glibly proclaiming a "zero commission" (cleverly negated by an unannounced state tax).

Someone had told me that Prague, though a tourist mecca, received six million foreign tourists every year, roughly one eighth of the number who visit Paris. When I questioned this figure, a Czech economist confirmed it, adding, however, that Bohemia and Moravia together now receive no fewer than 103 million "visitors" every year. When I asked the difference between a tourist and a "visitor," I was flabbergasted to learn that the "visitor" is someone who, entering from neighboring Austria, Bavaria, Silesia, or Poland, stages a kind of hit-and-grab raid without actually spending the night on Czech or Moravian territory—not unlike the English who cross the Channel in droves to loot the cheap liquor stores and pastry shops of Boulogne and Calais.

No wonder the amount of foreign earnings brought in by the Czech Republic's "thriving tourist trade" barely amounts to five percent of the country's Gross National Product. I am not one to lament this misfortune, however. In the cold, crisp nights of January 2003, it seemed to me more like a godsend. Enchanted by the soft golden glow of Prague's globular streetlamps, strung like chainless necklaces across the statue-haunted Karluv Most (Charles Bridge) and on up the narrow streets of the Malá Strana as far as the dramatically floodlit gray-white façade of the Hradčany, I could selfishly thank my lucky stars that there were few tourists and even fewer "visitors" to disturb my fond nostalgia, my undisappointed peace of mind.

Curtis Cate is the author of four biographies, the latest devoted to Friedrich Nietzsche.

LIBERAL ARTS

I HAVE A DREAM

"Focus on the Family Voices Disappointment Over Wal-Mart's New Gay Sensitivity Training Program

"'Focus on the Family shares Wal-Mart's commitment to treating all people with dignity and respect, but this sensitivity training offends the values of the vast majority of Wal-Mart's associates and customers' explains Dr. Bill Maier, Vice President and Psychologist in Residence at Focus on the Family. 'Singling people out for their differences is a profound betrayal of Dr. Martin Luther King's dream, and that is exactly what Wal-Mart's policy does' explains Dr. Maier."

—from a July 2 press release from Focus on the Family

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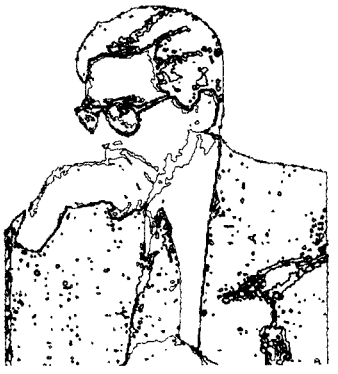
by Srdja Trifkovic

Reforming the Military

A Modest Proposal



On August 25, Secretary of Defense Donald Rumsfeld announced that he would look into ways to strengthen U.S. combat power without increasing the size of the military. While the "end-strength" of 1.4 million should stay the same, he intends to rebalance the active and reserve components, sending underutilized active-duty personnel to the reserves and moving to the active force such high-demand reservists as civil-affairs specialists. In Rumsfeld's estimate, 300,000 active-duty personnel could be freed up for combat-related duties if noncombat jobs were contracted out.

The following day, the number of American soldiers who had died in Iraq since President Bush declared the war over on May 1 exceeded the number of fatalities during the preceding six weeks of combat operations.

The Bush administration hopes to deal with the problem of a thinly stretched military and of mounting casualties by deploying soldiers from such countries as India and Turkey in Iraq and by training a new local force for security duties. It may not work: Other countries are weary of sending their men to Baghdad after the bombing of the U.N. headquarters there, which sent the message that every foreigner is fair game as long as the Americans stay. Every Iraqi who aids the Americans is also a potential target, which deters would-be recruits whose reliability would be doubtful in any event. If the present level of U.S. troops in Iraq has to be maintained (or even increased) beyond the middle of next year, however, the military will be seriously overstretched, proving former Army Chief of Staff Gen. Eric Shinseki right when he warned against pursuing "a 12-division strategy with a 10-division Army."

In a better world, America would revert from becoming a global empire to being a republic, her soldiers would no longer die in Iraq because none would be left there, and Mr. Rumsfeld would not need to worry about human resources. Nearly 1.5 million active-duty personnel, equipped with the deadliest arsenal and supported by the most advanced technology the world has ever known, would be more than enough to maintain the security of the United States in perpetuity. The troops would come home from Afghanistan, Iraq, Japan, Kosovo, Liberia, Bosnia, Germany, Korea, and everywhere else. No "civil-affairs specialists" would be needed. The country would "steer clear of permanent Alliances, with any portion of the foreign world."

In the real world, none of that will happen any time soon, and a major shift in elite thinking—probably coupled with a cataclysmic event at home or abroad—will be needed before it does. Since the policy of global interventionism, in whatever ideological guise, is here to stay for years to come, it behooves a realist to look for bold and creative solutions to Mr. Rumsfeld's dilemma and to the rising death toll in Iraq.

One solution worth examining is the creation of a private, for-profit mercenary military force—or, better still, several mutually competing mercenary forces, not necessarily based in the United States—that could be hired by the U.S. government for a variety of tasks currently performed by the U.S. military, such as the occupation of foreign lands in the aftermath of preemptive wars, antiguerrilla and anti-insurgency operations, peacekeeping missions, and disaster relief.

Of course, there are many private military companies (PMC's) already in existence, and the sector is estimated to be worth $100 billion per year. For the time being, however, their activities are limited to the provision of services such as training of foreign soldiers and security personnel, intelligence gathering, engineering, equipment maintenance, and the logistical support of operations. The U.S. government uses PMC's sparingly, mostly when it wishes to extend military assistance to a foreign country but does not want to be seen as doing so directly. This was notably the case with MPRI's role in the Balkans in the early 1990's and with DynCorp International's ongoing engagement in Colombia.

The Pentagon's reliance on PMC's has been relatively small-scale so far (some $25 billion per year), which is regrettable in view of the sector's potential. Any potential expansion of the role of PMC's should include the establishment of privately managed and officered tactical units of mercenary soldiers up to the brigade level, recruited in different countries around the globe and equipped on a commercial basis by the United States. They could replace the U.S. military in most but not all of its current overseas operations.

This approach would yield many advantages. To start with, a lot of money would be saved. A raw recruit costs the Army $60,000 per year in salary and benefits alone. When the costs of training, transportation, and billeting are computed, it is obvious that paying a private combat unit provider $100 per man per day to patrol the streets of Baghdad makes perfect sense. In addition, the American soldier would be out of harm's way, he would not be subject to demoralization (a very big problem in Iraq right now), and his time could be spent training for more complex and sensitive jobs that mercenaries cannot or should not do.

Inherent risks to life and limb notwithstanding, even if only $50 per day were to be paid to the mercenary soldier himself, there would be hundreds of thousands of eager candidates flocking to PMC recruitment centers in many underdeveloped or impoverished lands. To create crack units for tough jobs, the recruiters could focus on regions with an established military tradition, such as the Caucasus, the Balkans, Southeast Asia, and Ethiopia, or on particular groups within those lands known for their fighting qualities, such as the Cossacks. There are tens of thousands of battle-hardened veterans still only in their late 20's or early 30's all over the former Yugoslavia right now, and their lives are often going nowhere.

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They would make excellent mercenaries, although it may be advisable to keep Serbs, Croats and "Bosniaks" in different theaters. General-purpose units and non-combat specialists—sappers, medics, drivers, cooks—could be recruited all over Latin America, Eastern Europe, and the Indian subcontinent.

The mercenaries would soon develop their own *esprit de corps*, an essential precondition of their effectiveness, provided that their units are kept monoethnic and unidenominational. Private recruiters would not need to pretend that they pursue "diversity," and they would not be open to political pressures by various interest groups and ideologues who see the U.S. military as a tool of cultural revolution. Since their focus would be on the bottom line and not on social engineering, there would be no women or homosexuals.

Privately recruited soldiers would owe their allegiance to themselves, their outfit, and the community from which they are recruited, not to a national flag *per se*, although the use of national symbols should be allowed. Unlike so many of their peers in regular national armies, they would not have to pay lip service to an abstract or even abhorrent ideology, whether Baathism, Marxism, or multiculturalism. Their fighting qualities would be enhanced by the kind of group loyalty otherwise known only to athletes and their fans. A healthy competition could subsequently develop between the 2nd Montenegrin Brigade and the 4th Gurkha Rifles over who will be the first to enter Damascus, while Sikh Scouts could compete with Tartar Troopers over who will kill more Taliban guerrillas.

Judicious choice of specific mercenary units for particular tasks would yield additional benefits not open to U.S. forces. A company of Red Army Afghan veterans would command more credibility in the streets of Kandahar than a battalion of G.I.'s. Local would-be resisters are currently emboldened by the knowledge that Americans are reluctant to risk large-scale civilian casualties in retaliatory raids. Mercenaries are likely to be far less squeamish about this delicate subject, which will probably keep conquered areas more effectively pacified.

Certain unpleasant things would probably occur in the process, of course—they occur in all wars—but international laws that theoretically apply to "crimes against humanity" committed by traditional soldiers operating under national flags would hardly be applicable to those without a state. If such complications are likely in any given operation, the contracting by Washington can be done discretely and through third-party intermediaries. In any event, the ongoing controversy concerning the proposed immunity of U.S. military personnel from the International Criminal Court would no longer poison our relations with Europe: Soldiers as dispensable as they are effectively unprosecutable would replace Americans. Tracking and arresting retired war-crimes suspects in Outer Mongolia or Nepal on behalf of the ICC would be dangerous and tricky—but it could also mean more work for an enterprising PMC specializing in that field.

Mercenary deaths would not make the news, in America or anywhere else, freeing Mr. Rumsfeld from the costly and annoying restraint of fighting casualty-free wars. Tactical commanders could display some old-fashioned creativity. The families of the fallen would be taken care of—one final payment of $3,000, say, would go a long way in their home countries—and the disabled would not be a drain on VA hospitals. There would be no body bags, since burial *in situ* would be the norm.

The pool of recruits would not be limited necessarily to the impoverished lands beyond the former Iron Curtain and in the Third World. A few thousand English soccer fans who are considered a tad too risqué for the British army could be organized into units named after their favorite teams, with appropriate flags and insignia. Many young Americans of the otherwise unemployable sort might also find the prospect interesting and join units named after their inner-city neighborhoods, which could be a relief to their families and communities. At the same time, the U.S. military would no longer have to focus on bribes in order to induce young people to enlist or to renew their contracts. The present system often attracts the wrong sort anyway. The mercenary types who are lured by money, rather than by patriotism and an abiding commitment to the U.S. Armed Forces, should become mercenaries.

Conservatives should support this initiative on not only pragmatic but cultural grounds. A venerable tradition would be revived. The word *mercenary* has unfairly negative connotations and should be made as value-neutral as *freelancer*. Originally, a *free lance* was a knight or roving soldier whose services were available for hire, while *mercenary* has an ancestor in the Latin *merces*, "the price paid for something, wages," or "reward."

This could be an important economic activity in underdeveloped countries, as it historically has been in some parts of Europe. Take the Swiss: They were not always rich, but, starting in the Middle Ages, tens of thousands of Swiss pikemen honorably earned their living as mercenaries in the armies of many European states. Their archrivals, the Swabian *Landsknechte*, came to be considered the best fighting troops in Europe. They served in a variety of imperial armies and in organized bodies as mercenaries elsewhere in Europe. In France, they fought for the League and for the Protestants with equal ferocity and dedication, but French kings also kept their famous Garde Suisse. Roman pontiffs still do and have done so ever since 200 men from the cantons of Zurich and Lucerne came to Rome in 1506 and were taken into service with a papal blessing in St. Peter's Square. Almost five centuries later, the *Cohors pedestris Helvetiorum a sacra custodia Pontificis* still guards the Vatican.

Being a mercenary can be respectable, and having them at your disposal can be useful. Even under the proposed scheme, the job of defeating conventional enemy forces in the field would still have to be done by the regular U.S. military, but that is exactly the job it is meant to do and at which it evidently excels. American soldiers are not very good at maintaining occupation garrisons, hugging babies, learning local languages, and keeping restive civilians under control. They should be spared the trouble by having such duties contracted out to the latter-day freelancers. ◦c

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EDUCATION

Michigan's Race Factor

by Greg Kaza

The U.S. Supreme Court's June 23 decision striking down the University of Michigan's race-based undergraduate admissions policy ended a decade-long struggle started by university administrators and finished by conservative legislators and their grassroots supporters.

On April 23, 1997, Michigan State Rep. David Jaye, a paleoconservative Republican from suburban Macomb County, sponsored an amendment to the higher-education appropriation prohibiting any public "institution of higher education" from implementing

> an admissions policy that includes any quota, set-aside, numerical goal, time table, extension of application deadlines, grade adjustment, or other objective based on race, color, religion, sex, or national origin.

Jaye's amendment targeted the undergraduate admissions policy at the University of Michigan, the state's most prestigious public school. Jaye, a U of M graduate of Polish-American heritage, argued that the policy was race-based and unconstitutional. A coalition of liberal Republicans and Democrats defeated his measure. Michigan's Republican leadership feared a challenge to U of M's race-based policy would increase black voter turnout in Detroit and harm the electoral chances of statewide GOP candidates. Their indifference to the young victims of U of M's discriminatory policies was one factor that prompted four conservative legislators (Jaye, Deborah Whyman, Michelle McManus, and me) to initiate the process that led to the landmark legal decision *Gratz* v. *Bollinger*.

Data obtained by U of M philosophy professor Carl Cohen under the state Freedom of Information Act in 1996 was, perhaps, the key factor. The data made the legal challenge possible, revealing that U of M used a grid system, the outright intent of which was to discriminate against white applicants. "I finally got a batch of documents and then more documents later on, and then more," Dr. Cohen told PBS reporter Elizabeth Brackett. He termed the documents

> shocking, shocking data, which the university wants to keep confidential. I've got some samples here, but, you see, there they put "confidential, internal use only." But, of course, that doesn't protect it from the "Freedom of Information" Act request.

Another factor was Whyman's tenacity in confronting Michigan's most-powerful public school. Only four of the 78 Republican legislators serving at the time publicly endorsed the challenge. Many were liberal Republicans who support race-based admissions, but others were intimidated by U of M and by corporations that support reverse discrimination. The four of us released a statewide notice that encouraged students who had been denied admission to contact Whyman's office. More than 100 victims stepped forward.

The final factors were Jennifer Gratz, a courageous teenager, and the Center for Individual Rights (CIR), a conservative Washington public-interest law firm that had triumphed in similar cases. The legal work of CIR attorneys was crucial to the ultimate outcome. In fall 1997, CIR filed suit against U of M on behalf of Gratz, a graduate of Southgate Anderson High School in blue-collar Downriver Detroit. According to the complaint,

> Defendants used different admissions standards based on each student's self-identified race. As a result, students from favored racial groups had a significantly greater chance of admission than students with similar credentials from disfavored racial groups . . . Defendants did not merely use race as a "plus" factor or as one of many factors to obtain a diverse student body. Rather, race was one of the predominant factors (along with scores on standardized admissions tests and high school grades) used for determining admission.

Among those filing *amici* briefs opposing U of M were the Asian-American Legal Foundation, the Center for New Black Leadership, the National Association of Scholars, and Ward Connerly.

U of M officials defended their use of race-based practices dating to the early 1990's. President Lee Bollinger tried to frame the issue as "resegregation." However, weaknesses in U of M's grid system soon became apparent. In 1998, it was replaced by a point system that still awarded 20 points (out of a possible 150) to "underrepresented minorities." Students needed 100 points to gain admission. Applicants with perfect GPA's obtained 80 points; Michigan residents received 20 points; and high entrance exam scores earned 10 points. Gratz graduated with a 3.8 GPA and an ACT score of 25. The results placed her on U of M's waiting list, while a black applicant was admitted. By mid-1999, U of M's attorneys were arguing in court:

> [A]n examination of admissions data cautions against overstating the significance of the grids. The data show that the grids were not rigidly applied to compel certain results, but rather served as a guide to decisions made in the exercise of professional judgment by the counselors. The data therefore confirm that the grids did not produce mechanical results.

The Supreme Court rejected that argument, striking down U of M's undergraduate admissions policy 6-3. Chief Justice William Rehnquist wrote for the majority:

> [T]he Court finds that the University's current policy, which automatically distributes 20 points, or one-fifth of the points needed to guarantee admission, to every single "underrepresented minority" applicant solely because of race, is not narrowly tailored to achieve educational diversity.

Justices Sandra Day O'Connor, Antonin Scalia, Anthony Kennedy, Clarence Thomas, and Stephen Breyer joined Rehnquist,

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while Justices John Paul Stevens, David Souter, and Ruth Bader Ginsburg dissented. The Court also upheld U of M's law-school admissions policy 5-4 in a separate case, *Grutter* v. *Bollinger*. The policy assigns no numerical value to a race-based application but weighs it in the admissions process. In *Grutter*, the Court accepted "diversity" but narrowed its use post-*Bakke*.

The Court's ruling in *Gratz* was a defeat for U of M and its supporters, who privately told Michigan legislators in the 1990's that they would not compromise on the race-based policy. Dr. Carl Cohen's research, Deborah Whyman's tenacity, Jennifer Gratz's courage, the CIR's legal work, and the U.S. Supreme Court's ruling mean that the University of Michigan can no longer discriminate against undergraduate applicants on the basis of race.

Greg Kaza served three terms (1993-98) in the Michigan House of Representatives.

LIFE

Fateful Choices

by Doug Bandow

There are few issues more emotional than abortion. The dogmatism of the respective combatants strikes fear in the hearts of lesser mortals—which means almost every politician. Three decades after *Roe* v. *Wade*, the issue of abortion is unlikely ever to be resolved politically.

The major parties have largely followed the passions of their most active members, which means that Republicans usually are pro-life; Democrats, pro-abortion. Only Republicans, however, are regularly chided for their lack of inclusiveness. Recently, the Michigan Democratic Party officially recognized the Choose Life Caucus. Alas, such acceptance is not likely at the national level: Last year, the Democratic National Committee refused to post a link to Democrats for Life of America on the DNC's website. In 1992, the party barred Pennsylvania Gov. William Casey from addressing the Democratic National Convention because he dared suggest that a party that purported to stand for the disadvantaged and helpless should protect the unborn.

In contrast, Dick Gephardt, Bill Clinton, Al Gore, and now Dennis Kucinich have all forsaken their pro-life principles in hopes of garnering votes. Kucinich explained his convenient flip-flop: "People want to make sure that their president has a capacity to grow and a capacity to evolve." And, apparently, to sell out.

So strong are these political currents that, even with the GOP in control of the Senate, nominees for every federal court feel constrained to say that they have no opinion on—indeed, have never even thought about—the most contentious constitutional decision of our time. A friend of mine lost a nomination as district-court judge because he answered the *Roe* v. *Wade* question incorrectly in the view of the Democratic members of a local legal panel, created to vet nominees for the state's two Democratic senators.

The abortion issue seems to require a balancing of life and liberty. As a result, few pro-lifers really feel comfortable treating abortion as murder, which warrants the severest penalties in the criminal code, while many abortion advocates draw back from supporting partial-birth abortion, where the line between abortion and infanticide simply disappears.

Many Americans, and certainly most politicians, wish the issue would simply go away. Yet human life is at stake. That alone does not preclude support for abortion or the legal right to abortion. It does, however, suggest that the issue is fundamentally different from many of the bills that clutter legislators' calendars and controversies that fill newspaper op-ed pages. Highway pork might be a waste, and corporate welfare might be offensive; the taking of life, however, requires a more serious justification than that which is typically offered.

Anti-abortion activists probably enjoy their strongest political position in years. The President proclaims his support for their agenda, and the GOP runs Congress. Pollster John Zogby figures that the "pro-life advantage" in the 2002 Senate races was seven percent.

Evidence of the pro-life movement's clout came late last year, when pro-life members derailed a bankruptcy-reform measure, backed by a who's who of corporate America and pushed by the House Republican leadership, because the legislation penalized protestors at abortion clinics. This year, pro-lifers won the battle over partial-birth abortion. Even the Senate voted to ban this particularly gruesome procedure, in which the child is partially delivered, only to be killed brutally.

This pro-life measure is welcome, though, in a sane constitutional order, the federal government would have no power to legislate at all in this area. The constitutional order is not sane, however, and Congress will not keep its hands off abortion, so the ban at least shifts the balance a little bit. Even so, the prohibition will not protect many lives, let alone transform what Pope John Paul II has called the "culture of death." Mark Crutcher, president of Texas pro-life group Life Dynamics, complains that "banning partial-birth abortion will not save one baby's life" and that late-term abortions will continue through other means. Amie Kerhner, who works for the Kansas City clinic of George Tiller (which probably has performed more partial-birth abortions than any other "provider") agrees: "As soon as they add an exception for the life and health of the mother, you're just not going to see anybody being prosecuted under this." Indeed, since the number of partial-birth abortions is so small—around 2,200 per year—any impact will inevitably be minor.

Pro-lifers have also successfully fought Washington's promotion of abortion internationally: The U.N. Population Fund has promoted the procedure worldwide and, even worse, has underwritten, at least indirectly, coercive Chinese population policies, including forced abortions. Private groups, such as the International Planned Parenthood Federation, have also advanced abortion while on the federal dole. Refusing to fund such organizations has made a necessary moral statement and perhaps saved some lives—especially female ones, since, in countries such as China and India, abortion is often used for sex selection, which almost always favors boys. By one estimate, South Asia now lacks 74 million women who, based on demographic norms, should be alive today.

States have been an even more fertile arena for activism. For instance, many states require parental consent and instruction on fetal development, measures that are eminently reasonable and likely preserve some lives. *World* found that abortion among teens fell most quickly in states with strong parental-consent laws. Such restrictions remain effective only at the margin, however. In most cases, a woman who wants an abortion can easily procure one.

Ending abortion in America by po-

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litical means looks increasingly unlikely. Few new marginal (and thus constitutional) restraints are available. At the same time, the courts continue to protect the vast majority of abortions.

A more basic social transformation is necessary. The partial-birth abortion debate, in particular, has served as a powerful educational tool at a time when new technologies are increasingly forcing us to confront what it means to be human.

Partial-birth abortion demonstrates that the slippery slope beckons. Peter Singer has long plied academia as a frank advocate of infanticide. Others tread his path: Dan Brock, a bioethicist from the University of Rhode Island, has suggested abortion for babies determined by genetic testing to be disabled. Brock defends his view by saying that the decision should be left to parents, not to government officials.

Outside of a culture of life, it is virtually impossible to enforce a legal framework that respects human life and dignity. So long as *Roe* v. *Wade* stands, most abortions will remain legal. If 30 years of activism—and at least three Republican presidents formally dedicated to overturning the decision and a Supreme Court largely shaped by GOP presidents—cannot eliminate a decision that barely qualifies as constitutional law, *Roe* is not likely to be eliminated.

Moreover, even if *Roe* disappeared, abortion would remain legal until the states restricted the procedure. That is unlikely to happen in California, New York, and a score of other jurisdictions, absent a political earthquake—which will not occur without an equally powerful philosophical and moral earthquake.

Yet pro-lifers are making progress. Perhaps the most important measurement is the abortion rate, which has fallen from 29.3 per 1,000 women in 1981 to 21.3 today. And there are now as many people who claim to be against abortion as there are those who support it. Of the third of Americans who say that their view has shifted, two thirds have become more pro-life. Seven in ten say they favor "restoring legal protection for unborn children." Six in ten say it is "too easy" to get an abortion and want tougher restrictions, some of which are not allowed by *Roe* v. *Wade*; indeed, that decision receives popular support chiefly because most people have no idea what it actually requires.

Building popular support has not been easy, but pro-lifers have benefitted from the extremism of the pro-abortion lobby. The attempt to keep a parent from even learning about his daughter's desire for an abortion threatens family relationships and responsibilities. And the partial-birth abortion issue has helped by illustrating the logical end of the pro-abortion movement: a dead baby.

The impact of medical advances is also important: Premature babies as early as 26 weeks are now being saved. A recent *Newsweek* headline read: "Preterm births are on the rise, but new medical studies show that the tiniest babies often do just fine." We fight so hard to save premies, while blithely killing babies of the same age destined for normal births.

Even the younger generation, long assumed to be irrevocably in favor of abortion, is becoming more pro-life. A bare majority of college students support keeping abortion legal, but the percentage is among the lowest in 33 years. According to a Zogby poll, one third of 18- to 29-year-olds would ban all abortions, compared to just 23 percent of those aged 30 to 64 and 20 percent of those over 65. The sharpest decline in abortions has come among teenage girls.

Growing popular unease mixed with fear of controversy has helped drive doctors out of the abortion business. The Guttmacher Institute reports that the number of abortionists fell to 1,800 in the year 2000, from about 2,000 four years before (itself down sharply from the peak of 2,900 in 1982). Notably, there are now fewer physicians performing abortions than there were in 1974, the first year abortion was legal across the United States.

Researcher Lawrence Finer attributes some responsibility to new contraceptive techniques but adds that pro-life activists have thwarted efforts to "establish basic abortion services." Wayne Goldner, the only board-certified OB-GYN and abortionist in southern New Hampshire, claims that "[i]t's pure and simple fear" of harassment that stops more doctors from performing abortions.

Fewer doctors are being trained to perform abortions, a result of the activism of such groups as the Christian Medical Association as well as the impact of hospital mergers, which often link religious institutions to secular ones. This, naturally, has sent the pro-abortion lobby forth to demand abortion training. New York City Mayor Michael Bloomberg issued an executive order mandating abortion education for all OB-GYN residents, though students are allowed to opt out for moral or religious reasons.

Such requirements have been combined with mandates—in New York and elsewhere—to pressure even Catholic hospitals and healthcare plans to offer abortion counseling and referrals, if not abortions themselves. (A 1996 federal law bars states from forcing plans and providers to cover or offer abortions.) Some people apparently believe that abortion should not just be an option.

One of the most important tasks for the pro-life movement is to recapture the term *choice*. To have sex is to choose to engage in the act that creates babies. Except in cases of rape (or those of genuine mental incapacity), a choice was made. Abortion represents an attempt to avoid responsibility for the consequences of choice. Restricting the "right to choose" an abortion ensures that everyone accepts responsibility for the serious consequences of her sexual choices.

To say that government should intervene to protect the lives of babies is not to ignore the potentially enormous problems that accompany unwanted pregnancies. An estimated 30 million women have had abortions over the last 30 years. Although some chose the procedure because it was convenient, many did not act for frivolous reasons. They faced the seemingly daunting challenge of an unwanted pregnancy and saw abortion as the best option.

Opponents of abortion should respond to them with compassion, not condemnation. One example is the pro-life campaign Silent No More, in which women who have had abortions express their regret at having done so. They have used everything from candlelight vigils to television ads to point out that abortion created more problems for them than it "solved."

Ultimately, politics will not win the issue. Pro-lifers must concentrate on changing public attitudes. Only when the public believes abortion to be morally wrong will politicians (and judges) decide that it is legally wrong.

Doug Bandow is a senior fellow at the Cato Institute and the author of Beyond Good Intentions: A Biblical View of Politics *(Crossway).*

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MUSIC

The Dream of the South

by Mark Royden Winchell

"Poetry is a northern man's dream of the South."
—F. Scott Fitzgerald, "The Last of the Belles"

In the summer of 1933, Southern Agrarian poet Allen Tate and his friend Marxist literary critic Malcolm Cowley visited various Civil War landmarks in northern Tennessee and southern Kentucky. After being photographed shaking hands in front of the Confederate monument in a cemetery near Fort Donelson, the two drove home singing such plantation melodies as "Old Black Joe," "Swanee River," and "My Old Kentucky Home." At the end of the trip, Cowley noted somewhat sheepishly, "You know those songs we've been singing? They were all written by a Pittsburgh boy."

As recently as the 1950's, when I attended a public elementary school in Columbus, Ohio, the songs of Stephen Collins Foster were part of the official curriculum. I had first heard about the Swanee River years earlier when my father (who never lived in the South) gave me the first baths that I can remember. Literary critic James Olney recalls that, when he was a schoolboy in Marathon, Iowa, 50 years ago, he and his classmates sang

> over and over again, until they were deeply etched into memory, such songs as "Camptown Races," "Old Folks at Home," and "Oh! Susanna." . . . There we were children not of the Cotton Belt but of the Corn Belt, required to sing every verse of a song like "Ring, Ring de Banjo."

In 1928, the state legislature of Kentucky made Foster's "My Old Kentucky Home" the official state song. The Florida legislature did the same for "Old Folks at Home" in 1935. In 1951, a joint resolution of the U.S. Congress declared Foster's songs "a national expression of democracy" and Foster himself "the father of American folk music." Why, then, is this onetime national icon largely unknown to Americans who came of age in the 1960's and later?

The demise of Stephen Foster's reputation coincides with the ritualistic trashing of the Old South in American popular culture. In "Old Black Joe," "My Old Kentucky Home," and "Old Folks at Home" (to cite only three of Foster's better-known songs), the South is presented as a homeland that is desirable, biracial, and lost. As all intellectuals know, the image of home as desirable runs counter to one of the central dogmas of canonical American literature. Thus, Foster starts out with one strike against him. If the desirable home had been anywhere other than the South, his work probably would have been dismissed by the cultural elite as nothing more than harmless sentimental drivel. To idealize the South, of course, adds political incorrectness to aesthetic gaucherie. Moreover, to suggest that blacks may have felt some measure of attachment to that benighted land challenges the notion that the antebellum South was the moral equivalent of Nazi Germany and that slavery was an American holocaust.

Although slavery surely did not produce contentment, the bonds of regional affection were frequently so strong that they transcended the injustice of human bondage. As the escaped slave and prominent abolitionist Lewis Clarke observed in 1845:

> Some people are very much afraid all the slaves will run up North, if they are ever free. But I can assure them that they will run back again if they do. If I could have been assured of my freedom in Kentucky, then, I would have given anything in the world for the prospect of spending my life among my old acquaintances, and where I first saw the sky, and the sun rise and go down.

African repatriation has never worked because African-Americans are more American than they are African. And, to a considerable extent, they are Southern Americans.

Like several of Foster's other songs about the South, the tone of "Old Black Joe" is elegiac.

> Gone are the days when my heart was young and gay;
> Gone are my friends from the cotton fields away;
> Gone from this earth to a better land, I know,
> I hear their gentle voices calling "Old Black Joe!"

What makes Joe convincingly human and not just a stereotype—racial or otherwise—is his ambivalent feelings about the prospect of entering Heaven. When the voices of his departed friends beckon him, he tells them: "I'm coming, I'm coming," but, at the same time, he asks himself: "Why do I weep when my heart should feel no pain? / Why do I sigh that my friends come not again, / Grieving for forms departed long ago?" Rather than joyously anticipating Heaven (where there will, presumably, be no racial discrimination, much less slavery), Joe keeps thinking of the more tangible pleasures of his youth: "Where are the hearts so happy and so free? / The children so dear that I held upon my knee? / Gone to the shores where my soul has longed to go." Because he is a man of faith, Joe proceeds confidently to future glory, but there is at least a part of him that would prefer to return to the past. This psychological tension makes "Old Black Joe" a credible portrait of a recognizable person. It is also a strongly antimillenarian statement. If the memory of your real home can seem more affecting than the certainty of an ideal afterlife, how much better it must be than the chimerical hope of an earthly paradise.

Foster's "My Old Kentucky Home" was inspired by the most popular American novel of the 19th century—Harriet Beecher Stowe's *Uncle Tom's Cabin*. Both works lament the loss of a home in Kentucky. Foster's original audience would certainly have thought of *Uncle Tom's Cabin*, and some later stage versions of Stowe's novel featured "My Old Kentucky Home," along with several of Foster's other songs. This fact alone should absolve Foster of the charge of justifying—much less glorifying—slavery. Far from being incompatible with opposition to slavery, a black man's love of his Southern home and his Southern masters was an important feature of the most famous antislavery novel ever written.

The speaker in Foster's song is a slave, who could very well be Uncle Tom. Like Old Black Joe, he begins by remembering the idyllic home he has lost:

> The sun shines bright in the old

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Kentucky home,
'Tis summer, the darkies are gay;
The corn top's ripe and the
meadow's in the bloom,
While the birds make music all
the day.

The beauty of the natural setting is enhanced by the singer's recollection of friends and family: "The young folks roll on the little cabin floor, / All merry, all happy and bright." These images are all the more compelling for being rendered in present tense. Then, reality intrudes: "By'n by, hard times comes a knocking at the door, / Then my old Kentucky home, good-night." If we read these lines in the context of *Uncle Tom's Cabin*, it is the hard times experienced by the slaveowner that deprive the slave of his home. Stowe and Foster both knew, however, that even a nominally free worker can lose home and family to hard times. This was a recurrent experience in Foster's own brief, unhappy life. It is also the theme of his great song "Hard Times, Come Again No More," which is probably his only composition to be viewed with favor by the commissars of political correctness.

W.C. Handy, the black bandleader who is often called the "Father of the Blues," has written:

> The well of sorrow from which Negro music is drawn is also a well of mystery. I suspect that Stephen Foster owed something to this well, this mystery, this sorrow. "My Old Kentucky Home" makes you think so, at any rate. Something there suggests close acquaintance with my people.

Significantly, the consolation that Foster offers for this well of sorrow is neither religious nor political but aesthetic. The chorus of his song proclaims: "Weep no more, my lady, / Oh! weep no more today! / We will sing one song for the old Kentucky home, / For the old Kentucky home far away."

The lament in "Old Folks at Home" is for a region in Central Florida that Foster knew only as a name on a map but which became, in the alchemy of his imagination, the archetypal lost home of us all. As such, it has been embraced not just by nostalgic Southern whites but by Al Jolson and Eddie Cantor, first-generation Jewish-Americans singing in blackface of Mammy and those old cotton fields back home—with music by George Gershwin and additional lyrics by Irving Caesar. Not surprisingly, "Old Folks at Home" has long struck a responsive chord with black listeners as well. One of the most innovative versions of this song is Ray Charles' "Swanee River Rock." (Ornette Coleman has recorded an instrumental version of "Old Black Joe.") A year after the release of Charles' recording in 1957, the highly respected jazz saxophonist Sidney Bechet was joined by Buck Clayton on trumpet and Vic Dickenson on trombone in an historic concert version of "Old Folks" performed in Brussels. Nearly 20 years earlier, a recording of "29 Modern Piano Interpretations of 'Swanee River'" had included versions by Teddy Wilson, Art Tatum, and Claude Thornhill. It is not surprising that black jazz artists have been able to see beyond tendentious political arguments to appreciate the emotional truth of Foster's music.

Unlike "My Old Kentucky Home," there is no indication of "hard times" in "Old Folks at Home." Instead, the plantation on the Swanee River seems to represent lost youth. (A 20th-century poem on a similar theme, Dylan Thomas's "Fern Hill," speaks of youth's "heedless ways.") "All up and down da whole creation, / Sadly I roam," sings Foster's persona, "Still longing for de old plantation, / And for de old folks at home." If he is bemoaning a lost Eden, the singer has no expectation of recovering that earthly paradise, much less finding a new and better one to replace it. Foster puts the matter as follows: "All round de little farm I wandered / When I was young, / Den many happy days I squandered, / Many the songs I sung." In contrast to the prodigal timelessness of his youth, Foster's persona now lives in a fallen creation: "All de world am sad and dreary, / Ebrywhere I roam, / Oh! darkies, how my heart grows weary, / Far from de old folks at home." If Foster has a "darky" addressing fellow "darkies" here, it is not because he is a racist but because he realizes that African-Americans are on much more intimate terms with the deep well of sorrow he is trying to express. The response of blacks from W.C. Handy to Ray Charles would suggest that he was right.

Mark Royden Winchell delivered an expanded version of the foregoing at a memorial service sponsored by the United Daughters of the Confederacy at Arlington National Cemetery in June 2002.

FAMILY

Remembering the Covenant

by Harold O.J. Brown

During his term as president, Jimmy Carter, then a Southern Baptist, called for a White House Conference on Families in order to redefine family as any group of humans living together—so general a definition that college roommates or even a military platoon could be considered a family. Even the French Foreign Legion, whose motto is *Legio patria nostra* ("the Legion is our fatherland"), never thought of saying *Legio familia nostra*. In our era of globalization and secularization, it is becoming harder and harder to speak of *patria nostra*, and the *familia* has also become very unstable. One reason is that family, in almost every human society, including ours, is very closely tied to religion. In our highly secularized Western world, religion is in the process of disappearing.

There are many efforts to reassert the fundamental importance of family to the health of society. Dr. John Howard, the founder of The Rockford Institute, continues to devote himself energetically to this project. Because the concept of family has become somewhat fluid, Dr. Howard and others consistently refer to the "nuclear family," by which they mean father, mother, and children. The difficulty, however, is that this term does not go back to the source of the family, which involves the order of nature, Creation, and the nature of man and woman.

The order of nature tells us some rather rudimentary things. The birth of children is a consequence of union between the sexes, without which, as Salvador de Madariaga told us, human life is neither possible nor agreeable. Because the number of babies—and, hence, of human beings—is almost evenly divided between males and females (excluding the intervention of warfare, abortion, infanticide, *etc.*), it can be argued that every man should have one wife and every wife, one husband. This principle has been rather generally respected, except under Islam and other nonbiblical religions.

That babies and children need a tremendous amount of care and attention is self-evident, requiring stability within

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the family. Human babies take longer to reach maturity and become self-sufficient than the offspring of almost every other mammal, and it is plausible to see their care as the responsibility of the parents who produced them, a natural-law insight that promotes chastity before marriage and fidelity within it. Once children are no longer seen as God's gift but as a result of planning, at best, or a nuisance and an unnecessary expenditure, however, this natural-law support for marriage and the family loses its force.

One of the fundamental insights of natural law is the responsibility to promote human welfare, which, according to Genesis 1:28, means to "be fruitful and multiply." By the second half of the 20th century, the ease and effectiveness of contraception and the availability and social acceptance of abortion had greatly reduced the role of premarital pregnancy as a stimulus to marriage. When marriage was no longer seen as the normal way to fulfill sexual desires, early marriage became less and less popular. In addition, the fact that obtaining a divorce has become at least as simple as getting married has helped to decrease the number of children born. In the United States, the Caucasian birthrate is now 1.8 per woman, while, in many European countries, it has dropped to 1.2 or fewer—which means that Europe will soon fade away and the United States will follow a bit later. Christianity, which promotes both marriage and childbearing, has virtually disappeared in Europe. The loss of the Faith in a hitherto Christian society is being followed by the death of society itself.

The declining interest in a healthy birthrate has contributed to the growing acceptance of homosexuality, a clear rejection of the order of nature. This rejection even contradicts the general ethical principle that we might derive from evolution, that the survival of the fittest is a natural goal of all biological life. All of these developments lead to the conclusion that natural law, which depends on a sense of order and purpose in the universe and suggests Creation and a Creator, can no longer stand by itself in a deteriorating society. While it can provide support for biblical principles, it cannot effectively substitute for them.

The doctrine of materialistic evolution could logically serve as a source of natural-law principles; most advocates of evolution, however, believe it totally excludes the concept of Creation of any kind—even of intelligent design—and, therefore, they cannot tolerate the principle of natural law as traditionally understood.

The best way to understand the Creator's purpose for us is to see it in terms of a covenant, a theme that runs throughout the Bible. By observing the importance of covenant to God and man, we can better grasp the importance of the covenant between man and woman in marriage.

In the biblical account of Creation in Genesis 1, only man—defined as "male and female"—is given God's special attention among the creatures. The other creatures are simply introduced by a general command, "Let the earth bring forth . . . after their kind," and the two sexes are not mentioned. Man alone is given special treatment: "Let us make man in our own image, after our likeness" (v. 26), followed by the words, "male and female created He them." The concluding admonition, "Be fruitful and multiply, and fill the earth," reveals not only that male and female are both necessary to God's plan but that their lives are not to be ruled by natural instinct alone, as with the other animals, but by a sense of responsibility to their Creator. For some, this is the first of God's covenants with us, the Adamic Covenant. In Genesis 2, the creation of man and woman is shown separately. God, regarding Adam, says, "It is not good for man to be alone" and then, after letting him name the animals, causes a deep sleep to fall on him and fashions the first woman from his side. The man was made from the dust of the earth; the woman, from nobler stuff. Thus, the first two chapters of the Bible speak of the special dignity of mankind, both male and female, and, at the same time, maintain a distinction between the sexes.

The tranquility of the first covenant was broken in Genesis 3, when both Eve and then Adam yielded to temptation and violated the only prohibition that God had given them. This Original Sin brought a blight upon man and the whole of Creation, but it did not fundamentally change God's purpose for our race.

After Adam and Eve's rebellion and the subsequent murder of Abel by his brother Cain, the history of humanity is a tale of warfare, murder, and pillage. In the course of this history, God continues to reveal aspects of His covenant with man, which goes through several fundamental developments before Jesus speaks of His chalice at the Last Supper as "the new covenant in my blood." There was, in a sense, an elaboration of the covenant with Noah, who became the head of the only family left on earth after the Flood, and another with Abraham, who was told that, through his descendant, all the families of earth would be blessed.

These covenants took on special clarity and detail with Moses, to whom the Ten Commandments were given. The first commandment that deals with personal relationships is the Fifth (Fourth in the Roman Catholic and Lutheran numbering): "Honor thy father and thy mother." It clearly supposes a natural parent-child relationship: The care and nurturing that the parents provide is reciprocated by the children honoring their parents and caring for them when they are old. This concept is only compatible with lifelong marriage. Divorce is tolerated under some circumstances in the Bible, but God's attitude toward it is revealed in the book of Malachi: "I the LORD hate divorce." The easy availability of divorce is less than half a century old in the United States; it is destructive of the concept that marriage is a true covenant.

A commandment that a large number of people readily cite is "Thou shalt not commit adultery." Adultery means that at least one partner in the illicit relationship must be married. Fornication (usually designated in Scripture as harlotry) does not regularly carry the death penalty; a prompt wedding is sometimes the alternative. Adultery, however, is punishable by death in the Old Testament. The difference between adultery and fornication is that the former plainly repudiates the covenant between man and wife. The Ten Commandments do not represent the fullness of God's revelation, but they do make it very plain that the family is a fundamental example of covenant. In the New Testament, Saint Paul states that human marriage is a symbol of the covenant between Christ and the Church. No higher exaltation of that human covenant can be imagined. As God said when he fashioned Eve, it is not good for man to be alone. Nor is it good for woman or child. An enduring family is one of the basic parts of God's covenant with us, His creatures called to be His children.

Harold O.J. Brown is a professor of theology at Reformed Theological Seminary in Charlotte, North Carolina.

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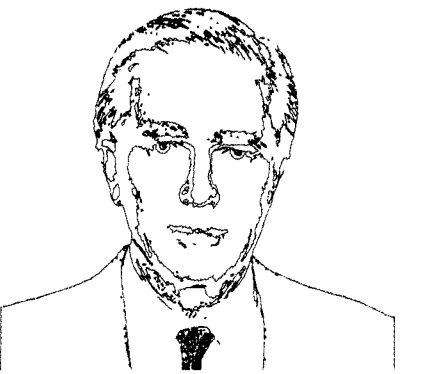
by George McCartney

The Well-Holstered Gun



Open Range

Screenplay by Craig Storper
from a novel by Lauran Paine
Produced and directed
by Kevin Costner

The Western film genre has often been criticized for celebrating gun violence. But mainstream oateaters often have more in common with the peace-loving Jane Austen than with the blood-besotted Sam Peckinpah. *My Darling Clementine*, *Shane*, *The Fastest Gun Alive*, *The Man Who Shot Liberty Valance*, and, most recently, *Open Range* all exemplify the principle announced so saucily in the opening sentence of *Pride and Prejudice*: "It is a truth universally acknowledged, that a single man in possession of a good gun must be in want of a wife." OK, I cheated a little. Austen said "fortune," not "gun." My adaptation is not without warrant, however. In the American West of legend, a man's fortune was often determined by how he chose to handle his gun.

Consider the hero of the typical Western film. He is an armed man in need of feminine guidance. Without such influence, he will be forever haunted by what he has already done with his six-shooter and tormented that he may do it again. Although he uses his weapon skillfully and courageously, he too frequently uses it with wanton disregard for the mayhem it perpetrates. With maturity, he finds himself in one of two conditions. Either he becomes a man apart, isolated from the domesticated world by his violent reputation, or he lays down his weapon for the sake of his gal and tries mightily not to let his past catch up with him. If it does, it is usually in the form of a younger man much like his former self, itching to test his murderous skill against a proven master, demonstrating that our earlier selves die hard. In the first condition, the Western hero is regarded as a revolting enemy of domestic tranquility. In the second, he is warmly embraced by his community as one of its responsible members who may in a pinch be able to revive his gunslinging prowess to defend them against any new trigger-happy marauders.

This narrative line has gone through many permutations, but the one constant is the tension between the undisciplined and the domesticated, anarchy and civilization. The dividing line between these two estates is always drawn by the wedding aisle.

Kevin Costner's *Open Range* continues this theme, albeit rather clumsily. Costner directs and stars as Charley Waite, a hard-riding cattle man. With his older partner Boss (the always invaluable Robert Duvall), he drives his stock across the open range, happily heedless of boundaries. Charley and Boss are nomads who believe they have a God-given right to let their cattle graze wherever they roam. Understandably, Denton Baxter (Michael Gambon), the local rancher, thinks otherwise. "I didna come all the way from Eye-rr-lend to have free-grazers eat the grass from under me cattle," he snarls in what sounds like an especially mean-spirited Ulster accent. When Baxter has one of Costner's trailhands beaten and later killed, the die is cast. An obligation of honor falls on Charley and Boss. Before showdown time arrives, however, Charley runs into Sue (Annette Bening), who, despite her trim good looks and flirtatious eyes, has unaccountably reached early middle age a spinster. Soon, Charley finds his murderous intentions colliding with his amorous ones. Sue decides not to miss her sunset opportunity. "So is it marriage that scares you, putting down roots," she says, her bluntness startling the roving cowboy. There is no way out for Charley, nor does he want one. But first he must make a confession: There are some things in his past he ain't proud of. This is his delicate allusion to the hundreds of men he killed as a youthful sniper in the Civil War and afterward in the hire of men just like Baxter. He goes on to point out that now he must take up the gun again in the cause of self-administered justice. If he should prevail, he adds, maybe . . . well, you know. She knows. She freely explains that she has been waiting all these years for a gentle, caring man like him. That he has gunned a few hundred men onto glory road and is about to blast 20 or 30 more to their just deserts does not seem an impediment to this aging lass. She even gives her knight a locket containing a picture of her mother—a civilizing influence indeed.

Open Range is good enough to make you wish it were better. Costner's cinematographer, James Muro, has transformed Calgary into the Platonic conception of the West, with incandescent ripe-peach sunsets and cloud-scudding moons the size of Spanish galleons as a backdrop to his larger-than-life characters. The film, however, is far too self-conscious and mannered for its own good. Costner sacrifices narrative logic to incorporate every Western trope he can think of. Bening, for instance, has not been given a role to play so much as a gap to fill. On her petite shoulders rests the burden of civilization itself. In one gloriously silly scene, Costner has her run directly into the midst of the finale of a gunfight in a starched blue blouse and white apron. Once there, Our Lady of the Frontier berates the gunmen on either side for their foolishness. The conflict between anarchy and order could hardly be clearer—or funnier.

Earlier Westerns handled this material with considerably more grace.

Take George Stevens' *Shane*, for example. This 1953 screen adaptation of Jack Schaefer's novel is a luminous meditation on the primacy of the family in a just social order and the obligation to defend its rights against its enemies. The story is filtered through the perceptions of Bob Starrett, an eight-year-old boy who idolizes both his father, Joe, and Shane, the stranger who mysteriously appears on his family's farm one morning.

Here, the conflict between guns and order is expressed as the difference between these two men. Van Heflin plays Joe Starrett as a man determined to suc-

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ceed as a homesteader for the sake of his wife and son. Alan Ladd portrays Shane as a decent man who has somehow fallen into the life of an itinerant gunman. He is a man of sorrows who sees in the Starrett family the kind of life he has forfeited either by choice or by circumstance. This is why he decides to aid them in their battle against a cattleman who wants them off the open range. Knowing they do not have the resources to succeed in their struggle with this wealthy man's hired guns, Shane decides to sacrifice himself in their cause. The word *sacrifice* is not too much. Schaefer's Christian imagery marks Shane as a savior who ransoms Joe's life with his own. Stevens echoes this in the film. He has Shane ride slowly by a cemetery on his way to the final showdown with a hired gunman. The camera repeatedly returns to three trees on the hill overlooking the cemetery, recalling Calvary. It then focuses on a gravesite crucifix. In a lingering fade, this crucifix becomes superimposed on Shane, the man willing to harrow Hell to save the virtuous.

As in other films in this genre, *Shane* treats the role of the gun ambiguously. Although Joe owns a pistol, he never wears it. Shane puts his away once he decides to work for Joe. Yet the gun becomes the instrument that vanquishes evil. How is this to be explained? With perspective. When Shane teaches Bob how to shoot, the erstwhile gunslinger tries to demystify the weapon's romantic aura. "Listen, Bob. A gun is just a tool. No better and no worse than any other tool, a shovel—or an axe or a saddle . . . Think of it always that way. A gun is as good—and as bad—as the man who carries it." As a tool of self-defense, the gun may occasionally be necessary, although the consequences can be grave. They certainly are for Shane, who leaves his friends after defeating the cattleman and his minions lest his presence lead to further violence.

The desire to demystify the gun is also at the heart of *The Fastest Gun Alive*, a 1956 B movie starring Glenn Ford as George Temple, a fidgety frontier shopkeeper. Outwardly, he seems an unassuming man so domesticated that he never wears a gun. One day, however, he uncharacteristically visits the local saloon for a drink, and the truth emerges under the influence of a nearly fatal glass of booze. Tired of being treated like a Milquetoast by the gun-wearing braggarts at the bar, he reveals that he was once a gunslinger. He gave up his manly trade for the sake of his wife and the children they hope to have. With alcohol in him, however, he cannot resist demonstrating his gunmanship. He has two men step into the street and toss up a silver dollar each. He shoots them both before they hit the ground. Once word of this feat begins to spread, it acts as a magnet. Soon, a psychopath in the form of Broderick Crawford shows up to challenge him to a draw. When Temple refuses, Broderick threatens to burn down the town. The terms of this showdown are so stark as to resemble a syllogism: Men wearing guns threaten the social order. Temple is wearing a gun. Forget your Marquis of Queensbury.

John Ford's Westerns also preach this message, especially in *The Man Who Shot Liberty Valance*. When idealistic lawyer Ransom Stoddard (Jimmy Stewart) goes west, he discovers what happens in a might-makes-right world. He is pummeled unconscious by a thug in the pay of cattle barons who are determined to keep the law out of their land. They want the range permanently open and are determined to thwart the local citizens' desire for statehood. As long as the region stays territorial, they can run their cattle undeterred by property laws. With a name meant to suggest the worst excesses of libertarianism, Liberty Valance is Stoddard's attacker, and he gleefully demonstrates the law's powerlessness by tearing apart one of Stoddard's legal texts. Upon recovery, Stoddard vows to have Valance arrested. His naiveté is met with laughter. Mocking his assumption that the law has a remedy for the likes of Valance, Tom Doniphon (John Wayne) holds up his gun and tells Ransom that he has a choice: He will either have to arm himself or clear out. Stoddard dismisses this counsel and decides to instruct the townspeople in their unalienable rights so that they will stand up to such hired thugs. Soon, he is teaching reading and government to all comers, including a pretty waitress named Hallie (Vera Miles). This brings him into conflict with Doniphon, who has long assumed Hallie was his girl. For her own part, she is drawn to both men: the brash, impulsive, gun-wielding Doniphon and the considerate, idealistic, gun-shy Stoddard. She does not get to choose her man, however. Events decide for her. Forced into a gunfight with Valance, Stoddard incredibly emerges victorious, although seriously wounded. (Unbeknownst to him and everyone else, he survives courtesy of Doniphon, who knows Stoddard is virtually helpless against the sadistic Valance and, therefore, shoots the outlaw from the shadows.) After the battle, Hallie instinctively embraces Stoddard. Seeing this, Doniphon throws a childish tantrum, gets drunk, and sets fire to the home in which he had planned to install Hallie as his wife. Hallie is left to marry Stoddard, who goes on to a successful career in government, while Doniphon declines into obscurity, eventually dying impoverished and alone. Ford's sour message is clear. Both men are worthy heros, but only one can prevail in a civilized world. Wayne's mercurial Doniphon may be the more engaging swain, but Stewart's thoughtful Stoddard is the more reliable and, as such, wins the bride. Doniphon has been outgunned by Stoddard's lawyerly canons.

The classic gun-smoking Western, it seems, is really a parable about men who need to grow up. Not to put too Freudian a turn on matters, each finds that, after a life of drinking, whoring, and gunplay, he is better off putting his pistol in a holster sanctioned by matrimony. Once there, the gun ceases to be a fetishistic talisman of manhood. It becomes merely a gun, an important and necessary tool for self-defense, but otherwise something to be kept out of reach of children of all ages. C

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by Chilton Williamson, Jr.

A Girl of the Gilded West

Lynette Lyon Hollow liked money. Because she had never had any of her own before, though, having it around made her nervous, and so she spent it whenever she saw something she thought worth spending money on. When more money kept coming in anyway than went out, she spent faster and faster on bigger and bigger ticket items to make herself feel better, until presently she was feeling very, very good. So was Hasty, who hardly ever had to crawl out of a Johnny Walker Black bottle anymore, even to talk to his money managers. Lynette had fired all of them.

Right after Hasty's divorce from Happy and his immediate remarriage to Lynette in Las Vegas, the Hollows had closed up the house in Durango and flown to Jackson, Wyoming, where the new Mrs. Hollow sold the condo at Spring Creek Ranch and moved them into a much bigger home, with pasture for her champion cutting horse adjoining the property, next door to the Rockefeller compound between town and the airport. The new house had a magnificent view of the Grand Tetons and also, on occasion, a Rockefeller, which Lynette found still more imposing, even if it was wearing shorts and a T-shirt and riding a bicycle. (She'd stopped off at the compound once to see if she could interest anyone in Western Swing lessons, but found no takers.) Her sister Lisette and Lisette's husband Slim lived on a ranch outside Soda Springs, Idaho, not more than a couple of hours away; Happy was safely settled in Durango where Lynette confidently expected her to stay put, with her Carrera marble floors and a Johnny Walker bottle of her own. She never minded when Hasty, in his confusion, mistook her for his first wife, because it meant he wouldn't notice anything when Rick invited her into the caretaker's house after supper to dance to swing records.

Lynette and Hasty enjoyed what most people would call a good marriage, neither one of them given to interfering in the other's life and with nothing to quarrel about except for the cat Puddy that Lynette had brought with her from Colorado. Lynette had had Puddy around for ten years now, ever since she was a kitten. Puddy was white with a black patch on her back and was about the size of a small beaver, weighing thirty-five pounds and requiring an insulin shot daily for her diabetes, which hardly ever caused her to wake up. When not crouched at her feeding station, which Lynette kept supplied with delicacies purchased from a gourmet shop in Jackson, Puddy slept most of the day in out-of-the-way places, an offense to no one except Hasty, who couldn't bear the sight of her. He'd never cared for cats much anyway, and this particular specimen, with its grossly distended stomach, pendular dugs, and infuriating air of self-indulgent entitlement made him see red every time he laid eyes on it. When Lynette wasn't around and he was relatively sober, Hasty was fond of playing mean tricks on it: sprinkling cayenne pepper on its favorite morsels, picking it up by the scruff of neck the way no cat weighing thirty-five pounds ought to be picked up, and rolling it onto its back for a violent game of patty-cake until in fear it lost control of its rectal muscles and slowly disgraced itself.

After only a few months of marriage, Puddy had become an obsession for Hasty, though Lynette seemed not to notice, what with her romance with Rick the caretaker and the fact she was drinking more than she used to do. On top of everything, the notes had started arriving—a couple at least a week, all of them postmarked "Durango CO" and handwritten on elegant letter paper bearing the Tiffany watermark that contrasted oddly with the inelegant messages inscribed there. "You dirty little man-rustler," the latest—in part—had read. "Think you're a real Western swinger, don't you? You deserve to be swung around till you're silly, then thrown away with your throat cut." Lynette, recalling Happy's psychotic spells in which she'd seen the Johnny Walker figure with his cane on his arm standing in the driveway, had tossed the first two or three notes contemptuously into the wastebasket. Later, she became slightly nervous and shared the most recent ones with Rick.

"I don't get it," Rick said. "The rich bitch lives in Durango, don't she? Most of the time, she don't know where Durango's

at, and you can forget Jackson Hole—right? Finally, she's a woman. You think some broad's gonna get past *me* in the middle of the night? What the hell you worried for, baby?" he added, folding a pinch of chew under his lower lip.

Lynette tried telling herself she had nothing to worry about: that the one thing Happy required to have herself poured aboard an airplane—besides a bottle, of course—was Hasty, and that Hasty was here in Jackson with *her*, Mrs. Hasty Hollow the Second. The thought gave her comfort before the night when, sitting in her powder-blue cowgirl outfit opposite her husband with a bottle of Dom Perignon between them in Jackson's most elegant restaurant a block north of the Antler Arch, she glimpsed Mrs. Hasty Hollow the First, seated alone in a corner of the dining room where two rows of relucent plate-glass windows met, three or four tables away.

The Old Yellowstone Garage was one of those New West restaurants that seemed to be a cross between an old-money, off-Lower Fifth establishment in Greenwich Village and a glitzy Hollywood bar. About a fifth of the diners looked like movie stars, and every seventh or eighth face, children excepted, appeared to have been lifted. The middle-aged woman in pale pink, peering with ancient eyes from behind a mask of taut-stretched and pancaked skin at the side of her escort, a big-nosed gentleman twenty years her senior, looked demonic. She was not half as frightening, however, as the frail figure of Happy Hollow, doubled in the window beside herself and bent as if half asleep above her Johnny Walker-and-soda with a lime twist.

"What's the matter with you?" her husband wanted to know. "Is the Dom Perignon corked? I'll send it back, together with a big piece of my mind. They

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want more for the stuff here even than I'm used to paying in Chicago."

"The champagne's OK," Lynette told him. "Here comes the guy to scrape crumbs from the table cloth with a knife. He gives me the creeps. I was raised in a barn, you know? Pour me a glass while I'm in the powder room, will you?"

She understood before she was halfway across the floor that she'd made a mistake, but Lynette wouldn't let herself be intimidated. She'd just got her lipstick out when, in the mirror, the lavatory door opened behind her and Happy Hollow came floating through it like a ghost. Happy wore on her ring finger the canary diamond the size of a small potato and surrounded by emeralds that Lynette remembered, nuzzled against her platinum wedding ring; in her right hand, she carried the drink she had brought away with her from the table. Without looking at Lynette or acknowledging her presence, she walked up to the basin beside her and, very deliberately, poured the whiskey into the sink, until only the ice cubes and the lime twist remained above the drain. Then she turned and walked straight out of the lavatory, on her way back to the restaurant.

After that evening, odd things began happening around the Hollows' new home. Overnight letters arrived almost every morning by Priority Mail, and the phone rang constantly; it seemed to Lynette that every time she lifted the receiver to place a call, Hasty was on the line to a party who had quit speaking abruptly. Once, she saw him hook his shoe under Puddy's abdomen and kick her violently away from her feeding station. They had a big fight about it, ending in Hasty cracking a fresh bottle of Johnny Walker Black and Lynette running out to the caretaker's lodge and into Rick's consoling arms. "I'd ought to shoot the sonofabitch," Rick said, but Lynette told him no, they couldn't afford to have anything happen to Hasty, just yet. She also let him know that, in case he happened to catch Happy hanging around the place, she wouldn't mind his arranging for a little accident that would leave the ornery old bitch just a little dead. Then a catastrophe occurred that caused Lynette to put every other trouble out of her mind. She came downstairs one morning to find the door of the laundry room, where Puddy slept in a gilt basket on top of a silken pillow, ajar and Puddy herself gone.

Lynette, who had slept behind locked doors since she'd watched a rerun of *In Cold Blood* ten years before, couldn't understand how the back door had come to be left open. The lock wasn't jimmied, and nothing but the cat appeared to be missing. Her first thought was to blame Hasty, before she decided he had an alibi, as usual, in Johnny Walker Black. That left the maid, an illegal Mexican girl, who broke down in tears when confronted by the *señora* and invoked the Mother of God as her witness. The ransom note arrived the following morning in a plain white envelope postmarked Yellowstone Park. "I don't keep a supply of insulin around the house," it said in neat printed letters. "Pack your stuff and leave Jackson by Friday, if you want to see Fat Cat—ALIVE!—again." The note was unsigned but bore the print of a cat's paw, dipped in ink.

Tearfully, Lynette carried the note into the caretaker's lodge. "It's *Her*," she wailed. "I know it is! Poor Puddy—she can't survive a week without insulin and fresh shrimp. What are we going to do, Rick?"

Rick did a bad impression of a thoughtful person, lasting no more than a few painful seconds. Then he tucked a pinch of tobacco inside his lower lip. "Looks to me like you got some kind of problem," he agreed finally. "You can trust me, baby: *I'll* handle it for you. A few days is all this boy ever needs to get a situation figgered out."

"We don't *have* a few days," Lynette retorted bitterly, and left him.

She phoned the Jackson police station. The dispatcher referred her to the Animal Control Center and hung up when she demanded the force take action itself. Lynette thought—briefly—of asking Hasty for advice, then made herself a margarita instead. The phone rang while she was drinking it, and Lynette picked up to hear a woman's low voice, unnatural sounding as if it were strained through silk panty-hose, as in the old movies.

"Be at the front gate at eleven o'clock Friday night," the voice intoned. "Have your luggage with you. You will be met by a black car. That . . . *creature* of yours will be in a travel case on the floor behind the front seat. You will be driven to the airport, where a private jet will be waiting for you. Speak a word of this to anyone, and the animal will be butchered, pronto, and its remains donated to the Raptor Center. You have been warned. Goodbye."

Lynette knew only one person who used the word "pronto."

Even before the speaker finished, she had a plan. Lynette hung up the receiver and ran across the grounds to the caretaker's lodge where, finding that Rick had devised no plan yet, she told him hers. He acted unimpressed but allowed that it might work anyway. "A guy don't ever want to think *too* fast," he explained. "He needs to chew, like, on an idea—like it was a chaw—and spit it out, if need be."

Lynette was in a hurry for Friday night to come, but she tried to stay calm and work deliberately. Hasty helped, by keeping mostly to his room and out of her way. They saw each other only at supper, when they were waited on by the maid who was still so terrified of Lynette that she fumbled things and served from the right side instead of the left, the way Hasty had repeatedly instructed her not to do. Hasty appeared more than usually fuddled Friday evening and announced after the meal that he was going up to bed.

Shortly before eleven, Lynette was at the gate, with two large and quite empty suitcases on the ground beside her. At a distance of only a few yards, Rick sat crouched behind a young pine tree, fondling a .40 semiautomatic pistol in his hand. They had not waited long when two parallel light beams panned the darkness and held them briefly in their twinned glare before a black Buick sedan pulled up and, having narrowly avoided running over the suitcases, stopped with a lurch. This was the moment, Lynette thought. She lifted her luggage in two hands, glancing sideways as she did so for Rick, who was just then emerging from the shadows.

"Get in the car," he ordered, motioning to her with the gun.

"Do *what*?" Lynette gasped.

"What I tell you—get in the car. Drop them suitcases, first."

She climbed onto the rear seat and sat, astounded. A catbox rested on the floor behind the driver. Rick opened the trunk, placed the luggage inside, and closed the lid. Then he came around to the driver's side. The driver pressed a button to lower the window and passed Rick a roll of bills through it.

"But . . . *why*?" Lynette protested weakly.

"The goddamn cat—that's why," the driver said, with violence. The voice was the voice of her husband, not really sober. "It's enough to drive a man to drink, for God's sake. Don't worry: Happy sent along a bottle to take with you for carry-on." c

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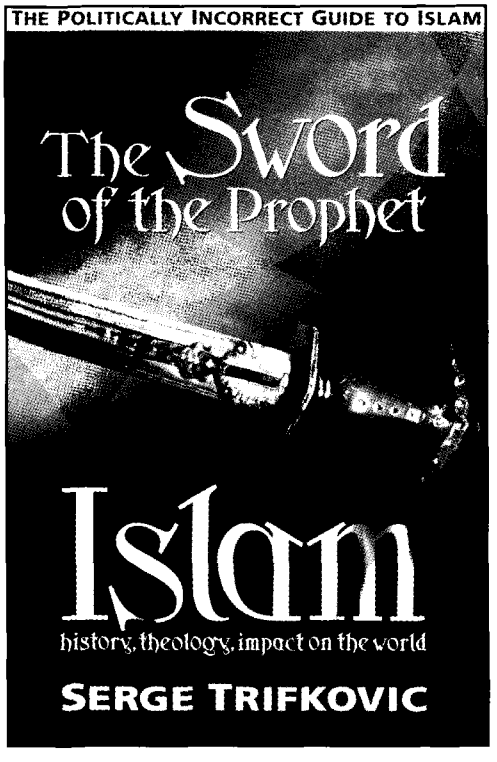
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